

HOUSE OF REPRESENTATIVES—Friday, February 25, 1983

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. WRIGHT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
February 24, 1983.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore on Friday, February 25, 1983.

THOMAS P. O'NEILL, Jr.,
Speaker of the House of Representatives.

PRAYER

Rev. Charles Mallon, permanent deacon, Holy Family Church, Mitchellville, Md., offered the following prayer:

Make me to know Thy ways, O Lord; teach me Thy paths. Lead me in Thy truth, and teach me, for Thou art the God of my salvation for Thee I wait all the day long.—Psalm 25, 4-5.

Father, during this time of Lent, give us the wisdom and grace of self-denial that we might discipline ourselves against attitudes that bring self-deception. Protect us from the pitfalls that await individuals of special circumstance and make us ever conscious of the great Commandment to love God and to love our neighbor as ourselves.

Father, grant that we may remain forever, in Your plan of salvation, we ask this through Christ our Lord. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations to provide emergency expenditures to meet national needs for the fiscal year 1983, and for other purposes.

Mr. CONTE reserved all points of order on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

WHAT IS DEMOCRACY ALL ABOUT?

(Mr. LEVINE of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVINE of California. Mr. Speaker, the Justice Department has apparently decided that three films, all produced by the Canadian Government, not exactly a hostile Government, including a documentary on nuclear war that has been nominated for an Academy Award, are to be looked at as political propaganda and may not be shown in the United States without a disclaimer stating that the U.S. Government does not approve of these films.

Mr. Speaker, what is the first amendment supposed to include? What is democracy all about?

This is an administration that apparently believes in a free market for big business, but a regulated market for free speech.

Mr. Speaker, I am very concerned that when the Justice Department is involved in censorship of these movies that they may have some concerns about whether people view such movies as "Missing," "Apocalypse Now," and "The Deer Hunter." Perhaps when we see the sequel to "The Winds of War," "War and Remembrance," the Justice Department may have the same concerns about some of the positive allusions that it may have to our former ally, the Soviet Union.

Mr. Speaker, this type of Justice Department determination is reprehensible. My colleague from Iowa (Mr. LEACH) and my colleague from Michigan (Mr. WOLPE) and I will be sending a letter to the Justice Department urging that this policy be immediately rescinded. I felt that it should immediately be brought to the attention of our colleagues so that they, too, could join in repudiating this type of improper activity in a democratic society.

ADMINISTRATION HAS NOT GONE FAR ENOUGH ON EPA

(Mr. BATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BATES. Mr. Speaker, on Wednesday of this week, we learned of

the resignation of two more high-ranking officials at the Environmental Protection Agency, and yesterday, the Reagan administration moved to bring the Environmental Protection Agency under tighter control by appointing four veteran governmental managers to run the Agency. But today, the New York Times reports that the White House Counsel has been ordered to examine contacts between senior aides of the President and the Environmental Protection Agency for any evidence of political manipulation.

While I commend the actions of the White House in their efforts to clean up the Environmental Protection Agency, I do not think that the administration has gone far enough. The credibility and the efficiency of the Environmental Protection Agency has been severely damaged by this affair. This can only be remedied by the following three measures:

First, the administration should cooperate with the ongoing congressional investigations;

Second, the President should appoint a special prosecutor to investigate the changes of conflict of interest, political manipulation of the Superfund by senior administration officials, and conducting private business on public time by employees of the Environmental Protection Agency;

Third, finally, the President should demand the resignations of the two officials that are charged with the protection of the environment, Mrs. Anne Gorsuch Burford and Mr. James Watt.

Only if these three remedies are followed can the Environmental Protection Agency return to its congressionally mandated objective, the protection of the environment.

IS "1984" JUST FOOD FOR THOUGHT?

(Mr. WOLPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLPE. Mr. Speaker, in his novel, "1984," George Orwell describes in chilling detail a world in which public opinion is carefully controlled by Government bureaucrats. Nothing is said, heard, or thought without Government approval. But Orwell wrote fiction, and "1984" is just "food for thought." Or, is it?

A story in today's edition of the Washington Post serves as a frightening reminder that fiction is sometimes prophecy.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

The U.S. Department of Justice has labeled three Canadian films "propaganda," and has ruled that they cannot be shown within the United States without a disclaimer stating that the U.S. Government does not approve of them. The films, Mr. Speaker, include an academy-nominated documentary featuring a lecture by antinuclear activist Dr. Helen Caldicott, as well as two films on the environmental hazards of acid rain. And what is more, the Justice Department is seeking a list of all organizations or individuals that have seen or have requested to see the films. I wonder what Justice intends to do with that list?

Mr. Speaker, big brother appears to be watching us, and I—for one—am uncomfortable under his sobering stare.

I suspect that my discomfort is shared by Americans throughout our land.

JUSTICE DEPARTMENT RESTRICTIONS ON CANADIAN FILMS DEPLORED

(Mr. LEACH of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEACH of Iowa. Mr. Speaker, I join with Congressmen WOLFE and LEVIN in expressing shock and dismay at the action of the Justice Department in labeling three Canadian-produced films as "political propaganda." These films, which deal with nuclear arms control and environmental protection, apparently suffer from the sole defect of reflecting views different from those of the administration, a right, Mr. Speaker, which when last checked was still enshrined in the first amendment to the Constitution.

This Justice Department decision is an egregious insult not only to our friends and allies in Canada, but also to the fundamental right of Americans to view, read, or think what they wish without governmental interference or governmental disclaimers. If the administration carries its twisted reasoning to its logical extreme, will ABC, CBS and NBC, which daily carry views in opposition to administration policy, be forced to run disclaimers too?

I call upon Attorney General Smith to reverse this childish decision without delay. The Justice Department is charged with protecting the constitutional rights of American citizens, not with infringing upon them. It may be too extreme to label this minor league act of censorship a harbinger of McCarthyism, but it sends a chilling message to those Americans deeply concerned about environmental issues in general and about the ultimate environmental issue of our time, the survival of the planet.

The administration would be better served if it spent more time negotiating arms restraint agreements with the Soviets and repairing the corrosive effects of acid rain on our environment, rather than wasting the time of all Americans on its clumsy efforts to erode the freedoms of choice and thought of our citizens.

LEGISLATIVE PROGRAM

(Mr. LOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOTT. Mr. Speaker, I take this time for the purpose of receiving the schedule for next week and I am happy to yield to the distinguished majority leader.

Mr. WRIGHT. If the distinguished gentleman from Mississippi, the acting minority leader, yields, we have a full schedule next week. It will be our busiest schedule thus far in the session.

We will have a pro forma session on Monday, meeting at noon, and it will be my purpose to ask that when we adjourn today, we adjourn to meet at noon Monday.

On Tuesday, we will have one bill on suspension, the American Conservation Corps authorization.

We meet at 3 o'clock on Wednesday, and we expect to take up the emergency supplemental appropriations bill for fiscal year 1983. That is the jobs bill that is being marked up at this moment in the Committee on Appropriations.

On Thursday, we meet at 11 o'clock. There are two bills. Subject to the granting of a rule, we expect to consider the Emergency Math and Science Education Act, and also a resolution providing for a permanent staff for the Intelligence Committee.

The House would not be in session on Friday, March 4. Of course, any further program would be announced later.

Mr. LOTT. Mr. Speaker, I would like to just inquire, on Tuesday the gentleman has the American Conservation Corps authorization. Does the gentleman anticipate a vote being taken on Tuesday, or would you defer that vote?

Mr. WRIGHT. I would anticipate that we probably would have a vote on that bill on Tuesday. If the gentleman requests, on behalf of any number of Members whom he knows to be unavoidably engaged, we conceivably could postpone the vote.

□ 1130

But it is Tuesday rather than a Monday, and it seems to me that most Members would probably expect to be in town.

Mr. LOTT. Mr. Speaker, I just made the inquiry to see if we do expect a recorded vote. It is obviously possible

that a recorded vote might not be called or asked for, but if it is, may we anticipate that we will have a recorded vote on Tuesday?

Mr. WRIGHT. Mr. Speaker, it is our expectation that if a recorded vote is demanded, we would go ahead and have a recorded vote unless there is a reason to do otherwise of which I am not aware.

Mr. LOTT. Mr. Speaker, I thank the gentleman from Texas (Mr. WRIGHT).

ADJOURNMENT TO MONDAY, FEBRUARY 28, 1983

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore (Mr. LEVINE of California). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY ON WEDNESDAY NEXT

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
February 25, 1983.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to Clause 5, Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope from the White House, received in the Clerk's Office at 6:18 p.m. on Thursday, February 24, 1983 and said to contain a message from the President wherein he transmits the following four pieces of draft legislation: the State Fiscal Assistance Block Grant Act; the Local Fiscal Assistance Block Grant Act of 1983; the Federalism Block Grant Highway Act of 1983; and the Rural Housing Block Grant Act.

With kind regards, I am,
Sincerely,

BENJAMIN J. GUTHRIE,
Clerk, House of Representatives.

STATE FISCAL ASSISTANCE BLOCK GRANT ACT; LOCAL FISCAL ASSISTANCE BLOCK GRANT ACT OF 1983; FEDERALISM BLOCK GRANT HIGHWAY ACT OF 1983; AND RURAL HOUSING BLOCK GRANT ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 98-22)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Agriculture, the Committee on Banking, Finance and Urban Affairs, the Committee on Education and Labor, the Committee on Energy and Commerce, the Committee on Government Operations, the Committee on the Judiciary, the Committee on Public Works and Transportation, the Committee on Rules, and the Committee on Ways and Means, and ordered to be printed:

To the Congress of the United States:

I am transmitting to the Congress today four pieces of legislation: the State Fiscal Assistance Block Grant Act; the Local Fiscal Assistance Block Grant Act of 1983; the Federalism Block Grant Highway Act of 1983; and the Rural Housing Block Grant Act.

These four proposals represent a continuation and expansion of the efforts of my Administration to return authority, responsibility and revenue resources to State and local governments.

In my January 25, 1983 State of the Union message, I indicated that I would be sending to the Congress shortly a comprehensive federalism proposal that will continue our efforts to restore to State and local governments their roles as dynamic laboratories of change in a creative society. We have now completed our work on this effort and it is embodied in these four proposed bills.

Therefore, I am requesting today that these bills be referred to the appropriate committees and I urge their early enactment.

THE NEED FOR CHANGE

In a 1957 speech to the National Governors' Conference, President Eisenhower sounded the first words of caution about the trend toward increased central government control. He said:

"Our governmental system, so carefully checked, so delicately balanced, with power fettered and people free, has survived longer than any other attempt to conduct group affairs by the authority of the group itself. Yet, a distinguished American scholar has only recently counseled us that in the measurable future, if present trends continue, the states are sure to degen-

erate into powerless satellites of the national government in Washington.

"That this forecast does not suffer from lack of supporting evidence, all of us know full well. The irony of the whole thing is accentuated as we recall that the national government was itself not the parent, but the creature of the states acting together. Yet today it is often made to appear that the creature, Frankenstein-like, is determined to destroy the creator."

Had he known how prophetic his statement was, his rhetoric undoubtedly would have been far stronger. During the two decades following the Eisenhower Administration, the Federal government increasingly encroached on state and local prerogatives. Narrow and restrictive Federal grant-in-aid programs grew from under 50 to over 500, pervading such obviously local concerns as rat control and sewer extensions. The dollar amount usurped from State and local treasuries to finance these programs ballooned from \$7 billion in 1960 to \$95 billion in 1981, with increased Federal dollars came suffocating Federal control. Lost was the efficiency and accountability of local spending priorities.

A generation of governors, state legislators, mayors and county officials began to echo President Eisenhower's sentiments throughout the 1960's and 1970's. They came to realize that the mushrooming Federal programs reflected the fact that Presidents and Congresses failed to trust State and local officials as their partners in our Federal system.

The Federal government had too much control, many felt. Programs lacked flexibility. Regulations were restrictive. Federal mandates were depleting State and local treasuries. Expenditures were being made for programs that were not really needed in particular localities. In short, State and local officials believed that they were more capable of making more prudent decisions to run their own jurisdictions than Federal bureaucrats. They started calling for a reordering of priorities and a sorting out of responsibilities among the various levels of government.

INITIATIVES IN 1981-82

During the past two years, hundreds of decisions and proposals have been made by my Administration in an effort to restore balance to our Federal system.

For example, throughout the economic recovery program, which I proposed in 1981, there was the underlying theme of federalism. The spending reductions were a reordering of priorities so that the national budget would address truly national needs. The tax cuts addressed the problem created by the Federal government usurping revenue sources which otherwise would have been available to State and local

governments and to individuals. And the regulatory relief effort was directed in large part to removing the regulatory manacles which bind State and local governments.

In a more direct assault on Federal usurpation, we proposed the consolidation of scores of narrow and restrictive categorical grant-in-aid programs into seven broad block grants. The package which was ultimately passed by the Congress, and which I signed, consolidated 57 programs into nine block grants. It is estimated that these block grants resulted in a reduction of 5.4 million manhours (83%) in FY '82 for State and local officials and 5.9 million manhours (91%) in subsequent years from the level required to administer the predecessor categorical programs.

This block grant effort continued in 1982, with enactment of the Job Training Partnership Act and the Urban Mass Transportation Block Grant.

Many other initiatives were taken on the federalism front.

—Of the 119 regulatory reviews targeted by the Task Force on Regulatory Relief, 35 were directed to State and local governments.

—For the first time in many years, the Executive branch actively participated in the Advisory Commission on Intergovernmental Relations (ACIR).

—I created a Federalism Advisory Committee chaired by Senator Paul Laxalt (R-Nevada). The work of that committee has now been completed and its suggestions have been incorporated into the package which I am today sending to the Congress.

—At the White House, we have pursued an active outreach effort with State and local officials. Personally, I have met with more than 1,000 such officials in the White House during 1981 and 1982.

Finally, early in 1982, I proposed the outline of a major Federalism Initiative. I stated at the time that my package was just a conceptual framework and that I wanted to work out the details following extensive consultation with State and local officials. The process which followed was unprecedented, and I want to thank the many State and local officials who assisted me in the development of the legislation. The package which I am sending to the Congress today reflects the input which we received from State and local officials throughout 1982 and early 1983.

THE 1983 FEDERALISM INITIATIVE

These legislative proposals would consolidate 34 programs into four mega-block grants. The Administration's budget request for these programs for FY '84 is approximately \$21 billion.

The following programs would be consolidated into the four mega-block grants.

STATE BLOCK GRANT

Rehabilitation Services
Vocational Education
Adult Education
State Education Block Grant (ECIA, Chapter 2)
WIN
Low-Income Home Energy Assistance
Social Services Block Grant
Community Services Block Grant
ADAMHA Block Grant
MCH Services Block Grant
Rural Water and Waste Disposal Grants (FmHA)
Water and Sewer Facility Loans (FmHA)
Community Facility Loans (FmHA)
CDBG—Non-Entitlement Portion
Grants for the Construction of Municipal Waste Water Treatment Works (EPA)
Child Welfare Services
Child Welfare Training
Adoption Assistance
Foster Care
Prevention Health and Health Services Block Grant
Child Abuse State Grants
Runaway Youth

FEDERAL-LOCAL BLOCK GRANT

General Revenue Sharing
CDBG—Entitlement Portion

TRANSPORTATION BLOCK GRANT

Urban System
Secondary System
Non-Primary Bridges
Highway Safety (FHWA 402 Grants)
Hazard Elimination
Rail-Highway Crossing

RURAL HOUSING BLOCK GRANT

Rural Housing Insurance Fund
Very Low-Income Repair Grants
Mutual and Self-Help Grants
Rental Assistance Program

This is a five-year program. It would guarantee funding for the programs turned back at the level enacted for FY '84. This funding level would remain in effect through FY '88.

This will provide a stable and certain funding source for State and local governments. It is *not* a vehicle for budgetary savings.

During this five-year period we will carefully monitor the block grants and determine whether it would be feasible to return revenue sources, such as Federal excise taxes or a percentage of the Federal income tax, to State and local governments along with the programs in the block grants. I will appoint a presidential commission to review this issue and to provide recommendations to me.

The proposals have been drafted to avoid dislocations on State and local governments. For example:

—For the Federal-State and Federal-Local block grants, beginning on

October 1, 1983, a recipient could take 20 percent of the money from the program and spend it anywhere else within the block. This percentage would increase to 40 percent, 60 percent, 80 percent, and finally 100 percent in each of the succeeding four fiscal years. Thus, in fiscal year 1988, a recipient would be able to spend 100 percent of the dollars in each block for any of the purposes within the block.

—In the Federal-State block grant, for programs where Federal dollars go to the States but are passed through to some degree by the State to local units of government, each State would be required to pass through the percentage that was available to localities in fiscal years 1981, 1982 and 1983 in that program.

—States would be required to have meaningful consultations with local officials prior to final decisions on the distribution of these pass-through funds.

—For three Farmer's Home Administration (FmHA) programs—rural water and sewer grants, water and sewer loans, and community facility loans—100% of these FmHA program funds will be passed through State governments directly to rural communities of less than 10,000 in population. In addition, at least 70% of the "small cities" funds of the Community Development Block Grant program will be apportioned to communities of less than 20,000 in population.

Implicit in the Federal-local block grant is the assumption that revenue sharing would be reauthorized for 5 years at the current funding level of \$4.6 billion annually.

Allocations to States for each program included in the State block grant, would be based on the historical program shares (FY '81-'83), or on the basis of formula allocations.

Funding for the Federal-State block grant would come from three Federal excise taxes on alcohol, tobacco, and telephones. The transportation block grant would be funded by part of the Federal gasoline tax.

The swap of federalization of Medicaid for State assumption of AFDC and Food Stamps, which was included in my January, 1982 framework has been dropped from the package. Reform of these three programs will be considered on a separate track.

Many of the more controversial programs in the original package (such as child nutrition, handicapped education, urban development action grants and others) have been dropped from the initiative.

The block grants include vastly reduced Federal strings and regulations. I strongly urge Congress to provide the flexibility in the programs that State and local officials need and deserve.

I request that Congress give these legislative proposals its immediate attention. With the help of the Congress, we can make government work more effectively for all Americans.

RONALD REAGAN.

THE WHITE HOUSE, February 24, 1983.

WELCOMING SALVADORAN PEACE COMMISSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. LEACH) is recognized for 30 minutes.

Mr. LEACH of Iowa. Mr. Speaker, all Americans, regardless of their views on the current situation in El Salvador, should join in welcoming Salvadoran President Magana's creation of a special commission to foster, as he described it, "the conditions for social and political justice and a program for peace."

I think it is especially auspicious that President Magana himself will head the commission and that it includes members from the major political parties represented in the Salvadoran constituent assembly. This bold and constructive initiative offers a real hope for the beginning of a dialog among the various political groupings in El Salvador leading, we all pray, to an end to the fighting that has plagued that country for far too long.

The guerrillas and their political spokesmen in the FDR/FMLN should scrutinize President Magana's action carefully. They have insisted that they are prepared to engage in discussions with the Salvadoran Government without preconditions. The new commission may well be the opening that will allow those discussions to move from the realm of rhetoric into the realm of reality. The shape of a political settlement in El Salvador is as yet far from clear, but what is certain is that a military settlement is out of the question and runs the risk of involving all of Central America in a wider conflict from which no one will profit.

Mr. Speaker, I have urged before and I urge today that the administration not let slip the opportunity for a negotiated settlement in El Salvador. We must aid the process, rather than inhibit it. I submit again that the best way for the United States to pay a positive role in Central America is to name immediately a special envoy to the region. The appointment of a prestigious special envoy in and of itself would signal a new willingness by the

United States to open channels of communication, to work for peace rather than posture for political or propaganda gain. The creation of a Peace Commission by the Government of El Salvador and the impending visit of the Pope require that the United States demonstrate a willingness to take definitive steps toward peace.

Maintaining status quo policies means maintaining a military stalemate. The killings will not stop until policies are changed.

TAX ON TIPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

● Mr. LEWIS of California. Mr. Speaker, in southern California there is a group of women and men who are demonstrating their objection to a very burdensome and unnecessary law. They are waitresses and waiters who cannot live with a portion of the Tax Equity and Fiscal Responsibility Act of 1982 which requires extra reporting to the Internal Revenue Service with respect to tips. Last year, because of this provision and other portions of TEFRA which create undue hardship on American taxpayers, I cast my vote against this legislation. The additional reporting requirements, as they appear in regulation, turn waitresses and waiters into bookkeepers and turn employers of these people into agents of the IRS. For these hard-working citizens, it is now necessary for waitresses and waiters to keep daily books on their tips, and for their employers to make new and confusing calculations of gross receipt percentages and tip allocations. Because of the lack of information on this new rule, there have been instances of mistaken actions taken by employers, who are anxious to comply with the law. Unfortunately, some of these actions have hurt diligent employees. It is my further understanding that over 80 percent of the workers affected by this law are women.

It is my intention to place my full support behind the elimination of this onerous law. On behalf of all those affected in the 35th Congressional District of California and nationwide, I am introducing legislation to repeal the section of Public Law 97-248 which contains the tip reporting provisions.●

INTRODUCTION OF THE PUBLIC HEALTH EMERGENCY RESEARCH ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. WAXMAN) is recognized for 5 minutes.

● Mr. WAXMAN. Mr. Speaker, I am today introducing the Public Health Emergency Research Act. This bill provides for an emergency response fund at the National Institutes of Health. This fund will allow the Secretary of the Department of Health and Human Services to respond quickly to public health emergencies with basic biomedical research.

The Centers for Disease Control are clearly the day-by-day acting agency for public health. CDC moves quickly to identify outbreaks of disease, to do epidemiological work, and to perform initial biomedical research. CDC's work is exemplary and the standard for the world.

But in many ways, the National Institutes of Health are the Nation's best hope for breakthroughs in major problems of public health. As the Public Health Service's premier basic research agency, NIH has been involved—and is still involved—in such crises as Legionnaire's disease and acquired immune deficiency syndrome.

However, in other ways, NIH is unable to be as responsive to emergencies as it should be. Peer review, advisory councils, and competitive bidding slow NIH grants and contracts. Those restrictions and limitations on research grants that make good, unbiased basic research over years also make the award of "expedited grants" take over 10 months.

I want to be the first to say that we should continue our support for the NIH grants process. The advice and counsel of experts in each of the fields of research is invaluable in building a portfolio of creative and useful long-term research.

But as public health has become more and more complex, requiring not just the traditional county nurse but also multiyear lab work, it has become clear that NIH must also have the ability to respond to emergencies quickly. The bill that I am introducing will set aside 1 percent of the 1984 appropriation for NIH to be put in an emergency response fund. In subsequent years only enough money to keep the fund equal to 1 percent is set aside. The bill also empowers the Secretary—if, after consultation with the Director of NIH, the Commissioner of FDA, or the Director of CDC, he determines a disease or disorder to present a public health emergency—to conduct or support research on the disease or disorder. When using these emergency funds, the Secretary is authorized to waive the usual requirements for the making of awards.

I believe that this legislation will create an expedited means to provide research on epidemics and emergency disease control. I urge Members to support the bill.●

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LOTT) to revise and extend their remarks and include extraneous material:)

Mr. LEACH of Iowa, for 30 minutes, today.

Mr. LEWIS of California, for 5 minutes, today.

(The following Members (at the request of Mr. BATES) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 30 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BATES, for 5 minutes, today.

Mr. WAXMAN, for 5 minutes, today.

Mr. ALEXANDER, for 60 minutes, February 28.

Mr. ALEXANDER, for 60 minutes, March 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LOTT) and to include extraneous matter:)

Mr. BROOMFIELD.

Mr. KEMP.

Mr. LEACH of Iowa.

Mr. RITTER.

Mr. GEKAS.

Mr. FIELDS.

Mr. LENT.

Mr. WINN.

(The following Members (at the request of Mr. BATES) and to include extraneous matter:)

Mr. DINGELL in two instances.

Mr. UDALL.

Mr. HERTEL of Michigan.

Mr. HOYER.

Mr. BROWN of California.

Mr. OTTINGER.

Mr. LELAND.

Mr. ROE.

Mr. WAXMAN.

Mr. RAHALL.

Mr. LEVITAS.

Mr. BONKER.

Mr. DE LUCA in two instances.

Mr. LOWRY of Washington.

Mr. PATTERSON.

ADJOURNMENT

Mr. BATES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 25 minutes a.m.), under its previous order, the House adjourned until Monday, February 28, 1983, at 12 o'clock noon.

OATH OF OFFICE, MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 98th Congress, pursuant to the provisions of 2 U.S.C. 25:

PHIL GRAMM, Sixth District, Texas.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

421. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to repeal the requirement to solicit suggestions from certain military and civilian retirees for methods to improve procurement procedures; to the Committee on Armed Services.

422. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report on the status of loans and contracts of guaranty or insurance for the Department of Defense, pursuant to section 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

423. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by Ambassador-designate Lewis A. Tambs, and by members of his family, pursuant to section 304(b)(2) of Public Law 96-465; to the Committee on Foreign Affairs.

424. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the annual report on the Panama Canal Treaties of 1977 for the period October 1, 1981, through September 30, 1982, pursuant to section 3301 of Public Law 96-70; jointly, to the Committees on Merchant Marine and Fisheries, Foreign Affairs, the Judiciary, and Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the

Clerk for printing and reference to the proper calendar, as follows:

Mr. FUQUA: Committee on Science and Technology. H.R. 1310. A bill to provide assistance to improve elementary, secondary, and postsecondary education in mathematics and science; to provide a national policy for engineering, technical, and scientific personnel; to provide for cost-sharing by the private sector in training such personnel; and for other purposes; with amendments (Rept. No. 98-6, Pt. II). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BONKER (for himself, Mr. FOLEY, Mr. PRITCHARD, Mr. DICKS, Mr. LOWRY of Washington, Mr. MORRISON of Washington, Mr. SWIFT, and Mr. WYDEN):

H.R. 1682. A bill to modify the navigation project on the Cowlitz River, Wash., to authorize the Secretary of the Army to implement interim measures to control floods in the lower Cowlitz River area and improve navigation on the Columbia River; to the Committee on Public Works and Transportation.

By Mr. DE LUGO:

H.R. 1683. A bill to amend the Agricultural Act of 1949 to limit the authority of the Secretary of Agriculture to make deductions from the proceeds of milk marketed commercially by producers in the United States; to the Committee on Agriculture.

By Mr. DE LUGO (for himself and Mrs. HOLT):

H.R. 1684. A bill to exempt certain charterboats in the U.S. Virgin Islands from the entry requirements of the customs laws; to the Committee on Ways and Means.

By Mr. HERTEL of Michigan:

H.R. 1685. A bill to amend the Natural Gas Policy Act of 1978 to prohibit take-or-pay clauses or similar minimum purchase requirements under natural gas supply contract, prohibit indefinite price escalator clauses, and to allow the Federal Energy Regulatory Commission to prohibit pass-through of natural gas prices, or take other corrective action, if the prices paid by natural gas companies are excessive due to waste or imprudence; to the Committee on Energy and Commerce.

H.R. 1686. A bill to amend the Natural Gas Policy Act of 1978 to freeze the price under any natural gas contract at the price applicable as of January 1, 1983, to exempt from such freeze any contract having a market-out clause if the contract was entered into after the effective date of this act and any contract entered into on or before such date which is renegotiated as to price after such date and which has a market-out clause; to the Committee on Energy and Commerce.

By Mr. HOWARD (for himself and Mr. SNYDER) (by request):

H.R. 1687. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; to the Committee on Public Works and Transportation.

By Mr. HOYER:

H.R. 1688. A bill to restrict the disposal by the Administrator of General Services of certain real property located at the Belts-

ville Agricultural Research Center; to the Committee on Government Operations.

By Mr. LELAND:

H.R. 1689. A bill to amend the act commonly known as the Second Morrill Act to repeal statutory language purporting to permit racial segregation in colleges financed under such act, and for other purposes; to the Committee on Agriculture.

H.R. 1690. A bill to amend title 5, United States Code, to revise the pay structure for Federal employees whose duties primarily relate to firefighting; to the Committee on Post Office and Civil Service.

By Mr. LEWIS of California:

H.R. 1691. A bill to repeal the provisions of the Tax Equity and Fiscal Responsibility Act of 1982 which require employer reporting with respect to tips; to the Committee on Ways and Means.

By Mr. PRICE (for himself and Mr. DICKINSON) (by request):

H.R. 1692. A bill to amend section 471 of title 10, United States Code, to provide that the Commandant of the Marine Corps shall be a member of the Armed Forces Policy Council; to the Committee on Armed Services.

By Mr. SOLARZ (for himself, Mr. DIXON, Mr. DOWNEY of New York, Mr. DYMALLY, Mr. EDGAR, Mr. EDWARDS of California, Mr. FOGLIETTA, Mr. GRAY, Mr. MARKEY, Ms. MIKULSKI, Mr. MITCHELL, Mr. OBERSTAR, Mr. OTTINGER, Mr. STOKES, and Mr. CROCKETT):

H.R. 1693. A bill requiring U.S. persons who conduct business or control enterprises in South Africa to comply with certain fair employment principles, prohibiting any new loans by U.S. financial or lending institutions to the South African Government or to South African corporations or other entities owned or controlled by the South African Government, and prohibiting the importation of South African kruggerands or other South African gold coins; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. VENTO:

H.R. 1694. A bill to prohibit the drugging or numbing of racehorses and related practices, and to amend title 18, United States Code, to prohibit certain activities conducted in interstate or foreign commerce relating to such practices; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. WAXMAN:

H.R. 1695. A bill to establish the National Commission on Orphan Diseases; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself and Mr. MADIGAN):

H.R. 1696. A bill to amend the Public Health Service Act and related laws to consolidate the laws relating to the Alcohol, Drug Abuse, and Mental Health Administration, the National Institute of Mental Health, the National Institute of Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WAXMAN (for himself, Mr. BERMAN, Mrs. BOXER, Mr. BURTON of California, Mr. DIXON, Mr. LEVINE of California, and Mr. WEISS):

H.R. 1697. A bill to amend the Public Health Service Act to enable the Secretary of Health and Human Services to expedite the initiation of research to be conducted or

supported by the National Institutes of Health into the prevention, diagnosis, and treatment of diseases or disorders which constitute a public health emergency; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII,

15. The SPEAKER presented a memorial of the Legislature of the State of West Virginia, relative to a mutual and verifiable nuclear weapons moratorium; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. McCloskey introduced a bill (H.R. 1698) for the relief of Dr. Honesto K. Fenol, Rosabella Montes-Fenol, and Lawrence Mark Fenol; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 174: Mr. JONES of Oklahoma, Mr. WYDEN, Mr. DE LA GARZA, Mr. ENGLISH, Mr. PANETTA, Mr. YATRON, Mr. WYLIE, Mr. GOODLING, Ms. OAKAR, Mr. FISH, Mr. HUCKABY, Mr. FORD of Michigan, Mr. LELAND, Mr. FLORIO, Mr. GILMAN, Mr. STRATTON, Mr. BIAGGI, Mr. MINISH, and Mr. McDADE.

H.R. 616: Mr. VANDER JAGT, Mr. CLINGER, Mrs. SNOWE, Mr. McGRATH, Ms. MIKULSKI, Mr. MOLLOHAN, Mr. O'BRIEN, Mr. YOUNG of Alaska, Mr. DEWINE, Mr. WHITEHURST, Mr. PRICE, Mr. BARNES, Mr. BROYHILL, Mr. WALGREN, Mr. MCKINNEY, Mr. FORSYTHE, Mr. LENT, Mr. EDGAR, Mr. CONABLE, Mr. MAVROULES, Mr. DUNCAN, Mr. RAHALL, Mr. PASHAYAN, Mr. BIAGGI, Mr. NOWAK, Mr. WISE, Mr. MADIGAN, Mr. FOGLIETTA, Mr. TALLON, Mr. BLILEY, Mr. RITTER, Mr. MOAKLEY, Mr. LAGOMARSINO, Mr. BEVILL, Mr. YOUNG of Missouri, Mr. GEKAS, Mr. SENSENBRENNER, Mr. WORTLEY, Mr. BEREUTER, Mr. COLEMAN of Missouri.

Mr. CORCORAN, Mr. TRAXLER, Mr. COATS, Mr. DURBIN, Mr. HUBBARD, Mr. ROGERS, Mr.

ROE, Mr. HOPKINS, Mr. OXLEY, Mr. BONIOR of Michigan, Mr. MCKERNAN, Mr. GREGG, Mr. DAVIS, Mr. SIMON, Mr. LELAND, Mr. MITCHELL, Mr. DIXON, Mr. THOMAS of Georgia, Mr. TAUKE, and Mr. McCANDLESS.

H.R. 822: Mr. GEJDENSON, Mr. GREEN, Mr. LEACH of Iowa, Mr. AU COIN, and Mr. BONIOR of Michigan.

H.R. 873: Mr. McNULTY, Mr. GRAY, and Mr. BROWN of California.

H.R. 944: Ms. FIEDLER.

H.R. 1039: Mr. CONTE and Mr. MAVROULES.

H.R. 1092: Mr. BARNARD, Mr. LEWIS of Florida, and Mr. McCOLLUM.

H.R. 1245: Mr. LELAND, Mr. CROCKETT, Mr. COUGHLIN, Mr. EDGAR, Mr. MITCHELL, and Mr. McCOLLUM.

H.R. 1379: Mr. SUNIA.

H.R. 1444: Mr. MITCHELL and Mr. HUCKABY.

H.J. Res. 22: Mr. PETRI and Mr. NOWAK.

H.J. Res. 59: Mr. TAUZIN.

H.J. Res. 120: Mr. FRENZEL.

H. Con. Res. 20: Mr. BATES, Mr. WALGREN, Mr. YATES, Mr. FAUNTROY, Mr. FOGLIETTA, Mr. EDWARDS of California, Mr. LEHMAN of Florida, Mr. DYMALLY, Ms. KAPTUR, Mr. LOWRY of Washington, Mr. DELLUMS, and Mr. COYNE.

EXTENSIONS OF REMARKS

VOTING RECORD

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. UDALL. Mr. Speaker, it has become my practice from time to time to list my votes in the House of Representatives here in the CONGRESSIONAL RECORD. I strongly believe that the people of Arizona have a right to know where I stand on the issues decided by the House, and I have found that printing my record here is the best way to provide that information.

This is not an all-inclusive list. I have omitted noncontroversial votes such as quorum calls, motions to resolve into the Committee of the Whole House, and motions to approve the Journal of the previous day.

The descriptions are necessarily somewhat short, and I am sure that some of my constituents will have additional questions about the issues described here. So I invite them to write me for specifics, or to visit my district office at 300 North Main in Tucson or 1419 North Third Street, Suite 103, in Phoenix.

The list is arranged as follows:

KEY

1. Official rollcall number;
 2. Number of the bill or resolution;
 3. Title of the bill or resolution;
 4. A description of issue being voted on;
 5. The date of the action;
 6. My vote, in the form Y=yes, N=no, and NV=not voting;
 7. The vote of the entire Arizona delegation, in the form (Yes-No-Not voting);
 8. An indication whether the motion or amendment was passed or rejected; and
 9. The total vote.
86. H.R. 6267. Net Worth Guarantee Act. Passage of the bill to revitalize the housing industry by setting up a Treasury fund to guarantee the net worth of qualified mortgage lending institutions. Passed 272-91: Y(1-3-0), May 20.
88. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Motion that the House resolve itself into the Committee of the Whole for consideration of the concurrent resolution to set budget targets for the fiscal year ending Sept. 30, 1983. Motion agreed to 342-0: Y(4-0-0), May 21.
90. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute, known as the "pay as you go" budget, to require that any increases in spending above fiscal 1982 levels be matched by offsetting revenue increases or spending cuts in other programs. The substitute would result in a \$27.5 billion surplus in fiscal 1985, according to Congressional Budget Office estimates. Rejected 181-225: Y(1-3-0), May 24.
91. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute to provide fund-

ing for emergency jobs programs while maintaining other domestic programs at real fiscal 1982 levels and increasing non-pay defense programs by 7 percent, and to scale back the tax cuts enacted in 1981. The substitute would result in a \$1.3 billion deficit in fiscal 1985, according to Congressional Budget Office estimates. Rejected 152-268: Y(1-3-0), May 24.

92. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute, proposed by the Congressional Black Caucus, to make substantial increases above current policy levels in spending for non-defense programs, hold defense spending at fiscal 1982 levels, and increase revenues through extensive tax reforms. The substitute would result in an \$18.7 billion surplus in fiscal 1985, according to Congressional Budget Office estimates. Rejected 86-322: Y(1-2-1), May 24.

94. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute to balance the budget in fiscal 1983-85 by making large cuts in non-defense programs while maintaining the three-year tax cut enacted in 1981. The substitute assumed higher revenues under current tax policy than projected by the Congressional Budget Office. Rejected 182-242: N(3-1-0), May 25.

95. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the Latta, R-OH, substitute, to express the sense of the House that Congress should close tax loopholes to the maximum extent possible as a way of raising revenues over the next three years. Rejected 68-342: N(0-3-1), May 25.

96. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the Aspin, D-Wis., substitute, to set a level for total tax expenditures of \$273.1 billion. Rejected 164-246: NV(0-2-2), May 25.

97. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-OH, substitute, to increase fiscal 1983 revenues by \$7.5 billion and redistribute those funds to entitlement and domestic discretionary programs. Rejected 175-237: Y(1-2-1), May 25.

98. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the Jones, D-Okla., substitute, to reduce revenue levels by \$10.8 billion. Rejected 178-237: N(2-1-1), May 25.

100. S. Con. Res. 60. Disapproval of Federal Trade Commission Use-Car Rule. Motion to limit debate to two hours on the Federal Trade Commission use-car rule. Motion agreed to 317-92: Y(3-0-1), May 26.

101. S. Con. Res. 60. Disapproval of Federal Trade Commission Used-Car Rule. Adoption of the concurrent resolution to disapprove the Federal Trade Commission rule to require used-car dealers to inform customers of major known defects in used automobiles. Adopted 286-133: N(2-1-1), May 26.

102. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the Jones, D-Okla., substitute, to increase budget authority by \$10.5 billion and outlays by \$7.6 billion in fiscal 1983-85 and to reduce discretionary programs and entitlements by the same amounts. Rejected 83-339: N(0-4-0), May 26.

103. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the

Jones, D-Okla., substitute, to reduce fiscal 1983 defense budget authority by \$16 billion and outlays by \$4 billion annually in fiscal 1983-85 and to reduce revenues by \$4 billion in each of those years. Rejected 125-295: NV(0-2-2), May 26.

104. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the Jones, D-Okla., substitute, to reduce budget authority by \$20.4 billion and outlays by \$8 billion in fiscal 1983, reflecting a freeze on nuclear weapons testing, production and deployment. Rejected 28-383: NV(0-2-2), May 26.

105. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-OH, substitute, to reduce fiscal 1983 defense outlays by \$7.5 billion and increase revenues by \$15 billion through enactment of luxury and excise taxes. Rejected 128-285: N(0-3-1), May 26.

106. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-OH, Jones, D-Okla., and Aspin, D-Wis., substitutes, to increase budget authority by \$1.85 billion in fiscal 1982-85 and outlays by \$450 million in fiscal 1984-85 to accommodate additional funding for the Export-Import Bank direct loan program. Rejected 186-232: Y(1-2-1), May 26.

107. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment, to the Jones, D-Okla., substitute, to increase budget authority by \$668 million and outlays by \$87 million for education programs in fiscal 1983, and to make corresponding reductions in the allowances function. Adopted 323-99: Y(1-2-1), May 26.

108. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, substitute, to increase budget authority by \$1.7 billion and outlays by \$837 million for education programs in fiscal 1983, and to make corresponding reductions in the allowances function. Adopted 343-72: Y(1-2-1), May 26.

110. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, substitute, to increase budget authority by \$400 million and outlays by \$4.85 billion for health programs in fiscal 1983 to accommodate Medicare funding at current services levels, and to make corresponding reductions in defense programs. Adopted 228-196: Y(1-2-1), May 27.

111. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Aspin, D-Wis., substitute to increase budget authority by \$200 million and outlays by \$2.35 billion for health programs in fiscal 1983 to accommodate Medicare funding at current services levels and to make corresponding reductions in defense programs. Adopted 328-94: Y(3-0-1), May 27.

112. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, Aspin, D-Wis., Jones, D-Okla., substitutes to increase fiscal 1983 budget authority and outlays by \$1.15 billion to accommodate a 7 percent pay raise for federal employees, rather than 4 percent as assumed in the substitutes. Rejected 143-281: N(0-3-1), May 27.

113. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the

Latta, R-Ohio, Aspin, D-Wis, Jones, D-Okla, substitutes to increase fiscal 1983 budget authority by \$396 million and outlays by \$398 million to accommodate a 5 percent pay raise for federal employees rather than 4 percent as assumed in the substitutes. Adopted 259-159: Y(1-2-1), May 27.

114. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, Jones, D-Okla, substitutes to increase fiscal 1983 budget authority by \$200 million and outlays by \$500 million to accommodate removals of the 4 percent ceiling on cost-of-living adjustments (COLAs) for federal civilian and military retirees. Adopted 327-94: Y(2-1-1), May 27.

115. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, Aspin, D-Wis, Jones, D-Okla, substitutes to increase fiscal 1983 budget authority by \$451 million and outlays by \$501 million (above the Latta substitute) to accommodate funding at authorized levels for law enforcement activities. Rejected 152-264: N(0-3-1), May 27.

116. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, Aspin, D-Wis, Jones, D-Okla, substitutes to increase fiscal 1983 budget authority by \$1.15 billion and outlays by \$100 million (above the Latta substitute) to accommodate funding at the levels recommended by House authorizing committees for drug law enforcement agencies. Rejected 182-237: N(0-3-1), May 27.

117. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Aspin, D-Wis, Jones, D-Okla, substitutes to strike reconciliation instructions directing the House Education and Labor Committee to reduce fiscal 1983 budget authority and outlays by \$73 million through savings in the worker compensation program for federal civilian employees. Rejected 193-225: Y(1-2-1), May 27.

118. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, substitute to delete all reconciliation instructions requiring committees to report legislation making changes in programs within their jurisdictions to achieve specified savings targets. Rejected 60-357: NV(0-2-2), May 27.

119. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Jones, D-Okla., substitute to delete provisions calling for deferred enrollment, until adoption of the second budget resolution, of any spending bill that exceeds the allocations provided under the first resolution. Adopted 212-202: Y(2-1-1), May 27.

120. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Amendment to the Latta, R-Ohio, substitute to delete provisions calling for deferred enrollment, until adoption of the second budget resolution, of any spending bill that exceeds the allocations provided under the first resolution. Adopted 212-206: Y(2-1-1), May 27.

121. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute, as amended, to set budget targets for the fiscal year ending Sept. 30, 1983, as follows: budget authority, \$805.8 billion; outlays \$769.4 billion; revenues, \$665.9 billion; and deficit, \$103.5 billion. Rejected 192-235: N(3-1-0), May 27.

122. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute, as amended, to set budget targets for the fiscal year ending Sept. 30, 1983, as follows: budget authority, \$825.5 billion; outlays, \$772.9 billion; revenues, \$675.7 billion; and deficit, \$97.2 billion. Rejected 137-289: N(0-4-0), May 27.

123. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Substitute as amended, to set budget targets for the fiscal year ending Sept. 30, 1983, as follows: budget authority, \$828.9 billion; outlays, \$781.7 billion; revenues, \$676.7 billion; and deficit, \$105.0 billion. Rejected 171-253: Y(1-3-0), May 27.

124. H. Con. Res. 345. First Budget Resolution, Fiscal 1983. Adoption of the concurrent resolution, as reported by the House Budget Committee, to set budget targets for the fiscal year ending Sept. 30, 1983, as follows: budget authority, \$828 billion; outlays, \$780.5 billion; revenues, \$676.7 billion; and deficit \$103.85 billion. Rejected 159-265: Y(1-3-0), May 27.

125. H.R. 4. Intelligence Identities Protection Act. Adoption of the conference report on the bill to make it a felony to publicly expose the identities of U.S. covert intelligence officers, agents, informants and sources. Adopted 315p32: Y(3-0-1), June 3.

127. H.R. 4861. American Conservation Corps. Motion to suspend the rules and pass the bill to establish an American Conservation Corps to employ youths aged 16-25 for conservation, rehabilitation and improvement projects on federal, state or Indian lands. Motion agreed to 291-102: Y(2-2-0), June 9.

128. H.R. 5922. Urgent Supplemental Appropriations, Fiscal 1982. Motion to order the previous question (thus ending debate and the possibility of amendment) on the Myers motion to instruct the House conferees on the fiscal 1982 urgent supplemental appropriations bill to accept Senate amendments to delete the House-passed amendment repealing a provision of existing law to require a balanced federal budget by fiscal year 1981 and to restore a \$3,000 annual limit on business-related tax deductions, even in excess of \$3,000, provided they were substantiated. Motion rejected 176-218: Y(2-1-1), June 9.

129. H.R. 5922. Urgent Supplemental Appropriations, Fiscal 1982. Amendment to the Myers, R-Ind, motion to instruct conferees on the fiscal 1982 urgent supplemental appropriations bill to accept the Senate amendments relating to the balanced budget, and restoring the \$3,000 limit on business-related tax deductions claimed by Members of Congress. Adopted 356-43: Y(3-0-1), June 9.

130. H.R. 5922. Urgent Supplemental Appropriations, Fiscal 1982. Myers, R-Ind, motion, as amended by the Schroeder, D-Colo, amendment to instruct the conferees on the fiscal 1982 urgent supplemental appropriations bill to accept Senate amendments. Motion agreed to 378-7: Y(4-0-0), June 9.

132. H. Con. Res. 352. First Budget Resolution, Fiscal 1983. Adoption of the rule (H Res 496) providing for House floor consideration of the first concurrent budget resolution to set budget targets for the fiscal year ending Sept. 30, 1983. Adopted 339-72: Y(4-0-0), June 10.

133. H. Con. Res. 352. First Budget Resolution, Fiscal 1983. Substitute to the Latta, R-Ohio, substitute to set budget targets for the fiscal year ending Sept. 30, 1983, as follows: budget authority, \$836.2 billion; and deficit, \$107.45 billion. Rejected 202-225: Y(1-3-0), June 10.

134. H. Con. Res. 352. First Budget Resolution, Fiscal 1983. Substitute for the President's fiscal 1983 budget submission, to set budget targets for fiscal year ending Sept. 30, 1983 as follows: budget authority, \$800.38 billion; outlays, \$765.17 billion; revenues, \$665.9 billion; and deficit, \$99.27 billion. Adopted 220-207: N(3-1-0), June 10.

135. H. Con. Res. 352. First Budget Resolution, Fiscal 1983. Adoption of the first concurrent budget resolution to set budget targets for the fiscal year ending Sept. 30, 1983, as follows: budget authority, \$800.38 billion; outlays, \$765.17 billion; revenues, \$665.9 billion, and deficit, \$99.27 billion. The resolution also set preliminary goals for fiscal 1984-85, revised budget levels for fiscal 1982 and included reconciliation instructions requiring House and Senate committees to recommend legislative savings to meet the budget targets. Adopted 219-206: N(2-1-1), June 10.

136. H.R. 6198. Copyright Manufacturing Clause Protection Act. Motion to suspend the rules and pass the bill to extend until 1986 a provision in copyright law providing copyright protection for books and periodicals written in English only if they are printed in the United States. Motion agreed to 339-47: Y(3-1-0), June 15.

137. H.R. 6350. Veterans Administration Health Care. Motion to suspend the rules and pass the bill to permit Veterans Administration nurses who work two 12-hour regularly scheduled shifts over a weekend to be considered as having worked a full work week; to extend until Sept. 30, 1983, the authority of the VA administrator to contract out medical services and hospital for veterans in Puerto Rico and the Virgin Islands; and to extend through Sept. 30, 1985 a program of grants to states for the construction and alteration of state veterans' homes. Motion agreed to 390-0: Y(4-0-0), June 15.

138. H.R. 6254. Protection of Foreign Missions. Passage of the bill to increase to \$7 million, from \$3.5 million, the amount to be reimbursed to local governments in fiscal 1983 for their expenses in protecting foreign diplomatic missions. The bill also authorized reimbursements to state and local governments for protection of motorcades and visits by foreign dignitaries and authorized \$17.7 million in reimbursements for expenses incurred prior to Oct. 1, 1982. Passed 218-177: Y(2-2-0), June 15.●

BURDENSOME REGULATIONS SWAMP VIRGIN ISLANDS' CHARTERBOAT INDUSTRY

HON. RON de LUGO

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. DE LUGO. Mr. Speaker, I would like to call our colleagues' attention to a bill I am introducing today, which would exempt certain charterboats in the U.S. Virgin Islands from the entry requirements of Customs laws. This bill attempts to alleviate the expense and burden placed on owners of charterboats on either day sail or term charter who are obliged to make entry at the customhouse after excursions to the British Virgin Island.

I must point out that the British Virgin Islands lie literally a stone's throw away from the U.S. Virgin Islands, yet our charterboats, which carry an average of only 4 to 5 people, must fill out the same copious paperwork for a 1 hour trip over the international boundary as a supertanker or a commercial cargo vessel after a trip

halfway around the world. This unnecessary paperwork, which certainly must be a problem to store, or more likely dispose of, creates burdensome delays and inconveniences for the charterboat captains and their guests, and, I must emphasize here the importance of the charterboat industry to our tourism economy.

In place of the current reporting requirements, that are costly and burdensome to the U.S. Customs Service as well as the charterboats, I propose that charterboats be granted the same consideration as yachts and pleasure vessels, whose masters are only required to make a report within 24 hours after arrival to the appropriate customs officer of any article on board for which entry is required by law. Comments from the International Trade Commission and other administrative agencies have been supportive, and helpful technical changes in the language have been incorporated in this bill.

I urge my colleagues to carefully consider this measure and ask that the text of my bill be printed here for their review.

The text of the bill follows:

H.R. 1684

A bill to exempt certain charterboats in the United States Virgin Islands from the entry requirements of the customs laws

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 441(3) of the Tariff Act of 1930 (19 U.S.C. 1441(3)) is amended by inserting immediately before "Provided:" the following: ", and charterboats, whether on day sail or term charter, carrying passengers for hire, on excursion from the United States Virgin Islands to the British Virgin Islands, or the waters thereof, and return, and not having visited any hovering vessel".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to charterboats returning from the British Virgin Islands on or after the date of the enactment of this Act.●

COMPETITION FROM DEVELOPING NATIONS

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. RAHALL. Mr. Speaker, the recent announcement by the Atari Corp., the electronic games and computer manufacturer, that it is going to eliminate approximately 1,700 jobs in California and transfer them to Hong Kong came as a great surprise to me. During the last several years all that we have been hearing is that this so-called high-tech industry is the wave of the future and could replace the jobs which have been lost in many of our heavier industries.

I represent a district that includes many of these heavy industries—steel,

chemical, coal plants, et cetera. During the past several years those of us who represent areas with these older industries have been calling for our Government to look at the problem we face. Now it appears that even this country's new industries are subject to the same problems.

With this recent decision by Atari it is clear, we, as a country, must seriously discuss how we are going to meet the competition we face from developing nations. This will require cooperation from government, management, and labor whose goal must be to find a solution that will keep our products competitive both at home and abroad. We can no longer afford to offer only passive resistance to the threat our Nation faces from nations such as Japan, which have trade policies designed to protect their domestic industries and destroy those in other nations. The time is now, Mr. Speaker.●

JAPANESE-AMERICAN HUMAN RIGHTS VIOLATION REDRESS ACT

HON. MIKE LOWRY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. LOWRY of Washington. Mr. Speaker, 41 years ago last Saturday, on February 19, 1942, Executive Order 9066 authorized the incarceration of 120,000 Japanese-American citizens and legal aliens. Without ever being accused of any crime, these individuals were deprived of liberty, property, and a chance for a day in court. Triggered by wartime hysteria, our Government sanctioned that internment through Congress and the courts. The American Civil Liberties Union has accurately characterized that Government action as "one of the worst single wholesale violations of civil rights in our history."

Although we can never fully rectify this grievous injustice, we can provide meaningful compensation to the survivors. I believe that reparations for these violations are long overdue. Responsible citizens and legislators from my home State of Washington are working to persuade Government to accept responsibility for its actions. A measure was recently introduced in the Washington State Legislature by Senator George Fleming to provide \$5,000 compensation to each Washington State employee who was terminated as a result of Executive Order 9066. Legislation for similarly affected city of Seattle employees will soon be introduced by Seattle City Council Member Dolores Sibonga.

The Japanese-American Citizens League and the Washington Coalition on Redress continue their tireless efforts to advance this long overdue

remedy. I am deeply impressed by the courage of Japanese-Americans as well as their confidence in the U.S. governmental process despite having suffered such a great injustice. The response of the Japanese-American community demonstrates an unmatched spirit of loyalty and patriotism.

The courts now have an opportunity to clear their record and provide assurances that constitutional guarantees still stand for all citizens, regardless of race, creed or national origin. Forty-one years ago, Gordon Hirabayashi, then a student at the University of Washington, was convicted of violating the wartime curfew imposed on persons of Japanese ancestry and of refusing to report to a civil control station for evacuation. Charging that U.S. Government officials suppressed evidence which could have led the Supreme Court to prohibit the internment of Japanese Americans, Dr. Hirabayashi filed a petition in U.S. district court in Seattle to seek a reversal of the verdict.

During the 96th Congress I introduced a reparations bill, "the World War II Japanese-American Human Rights Violation Redress Act." The 97th Congress established a Commission on Wartime Relocation which studied the wartime treatment of Japanese Americans and held hearings throughout the Nation to document its findings. The widespread publicity from the Commission hearings made millions of Americans aware of the wrongs done to west coast Japanese Americans during World War II. The Commission on Wartime Relocation will soon issue its findings. I will soon reintroduce an updated version of the World War II Japanese-American Human Rights Violation Redress Act in the 98th Congress.

I am convinced that justice requires an official apology and monetary compensation. I urge my colleagues to join me in support of this goal.●

LITHUANIAN INDEPENDENCE DAY

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 17, 1983

● Mr. GEKAS. Mr. Speaker, we are commemorating today in the House of Representatives the 65th anniversary of Lithuanian Independence Day. Sixty-five years ago yesterday the brave people of Lithuania declared their independence from Russia and embarked upon an all too brief period of freedom until 1940. In the years of World War II, the Lithuanians were overtaken by Soviet armies, then by Nazi armies, and finally by Soviet soldiers once again. The Soviets maintained control over Lithuania at the

completion of World War II, ignoring the rightful independent status of the Baltic state.

The United States has never acknowledged the Soviet controlled Lithuania, and to this day maintains a Lithuanian legation here in Washington to represent the Lithuanian people. We are gathered here today in Congress to further drive home the point to the Soviets that our Nation will never accept the Soviet Union's practice of denying basic human rights to all Lithuanians. I am confident that one day soon we will be celebrating this independence day with our Lithuanian friends in a Lithuania that is once more free and independent. These are my thoughts because it is impossible for the Soviets to control the Lithuanian spirit, and it is the spirit that will outlast all the guns and tanks of the Soviet Army.

Here in the United States, there are many noble Lithuanian-Americans who help keep the fires of the Lithuanian spirit burning. I am quite fortunate to count as one of my friends Florence Surace, who is an excellent example of the positive contribution Lithuanian-Americans have made to our country. I am sure she joins with me today in celebrating this anniversary, and she too feels that Lithuanians will be free to commemorate this day once again in their native land.●

THE RESTING PLACE OF THE COMB: SOVIET BRUTALITY IN ACTION

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. BROOMFIELD. Mr. Speaker, I want to call the attention of my colleagues to a recent tragedy in Afghanistan. I believe that this incident confirms that the Soviets will do anything to maintain their viselike grip over that once free and peaceful nation.

As all of you know, the brutal Soviet occupation of Afghanistan began in 1980. Since that time, Afghani resistance fighters have engaged in a lonely, and difficult guerrilla campaign against superior Russian air and ground forces. Although the heavy fighting will continue, the Kremlin has already basically fulfilled its primary objectives in Afghanistan. It has set up the puppet Karmal regime in Kabul and has occupied the country with 105,000 well-armed troops.

According to the article which appeared in the Washington Post this month, over 105 Afghani men, women, and children were brutally burned to death in an underground well by Soviet soldiers. The "Resting Place of the Comb" is a small village some 30 miles south of Kabul.

As Soviet soldiers and tanks approached the small village, many of its frightened inhabitants fled and hid in an underground water tunnel that serves as the town's water supply. Following the commanding officer's orders, Soviet soldiers pumped hundreds of gallons of gasoline into the tunnel when the Afghani villagers refused to come out of their hiding place. A few minutes later, after incendiary chemicals were dropped into the tunnel, the gasoline was ignited and 105 innocent people were burned to death. It took 7 days for the villagers to drag all of the bodies out of the tunnel.

The World Press has carried equally horrible stories of Soviet forces poisoning village wells, using poison gas, and strafing innocent Afghans with the intimidating firepower of their helicopters. While all of this violence goes on, the Kremlin insists that it is a peace-loving nation which respects human rights and has no expansionist tendencies.

In spite of more than 12,000 Soviet dead and wounded and an estimated \$1.5 billion in direct aid merely to prop up the Afghan army, I believe that the Russians intend to stay.

With this in mind, our Government should do everything in its power to call this bloody occupation of a small and peaceful nation to the attention of the world. Let us also bring pressure to bear on the Soviets to convince them that they must withdraw. I am sure that many of my colleagues can recall the many clever techniques which the Kremlin used against our Government when we were so heavily involved in Vietnam a number of years ago. Let all of us in the Congress commit ourselves to getting the illegal occupiers out of Afghanistan.●

CONGRESSIONAL COMMEMORATIVE SALUTE TO THE ESTONIAN PEOPLE ON THE 65TH ANNIVERSARY OF ESTONIAN INDEPENDENCE DAY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. ROE. Mr. Speaker, I rise today to join my colleagues in commemorating the 65th anniversary of the Republic of Estonia's Declaration of Independence. It is a day for all of us to remember that there are millions of people living in Estonia and other nations around the world who do not enjoy the basic rights of freedom of thought, movement, and expression that we all take for granted.

The situation taking place in Poland has special significance for the people of Estonia. Both nations emerged as independent states following the end

of World War I. But the great potential they both expressed as free states came to a tragic end as a result of the heinous Molotov-Ribbentrop Pact of 1939. As a result of that agreement, Poland was divided between Germany and the Soviet Union, while Estonia, Latvia, and Lithuania were condemned to the Soviet rule that controls them to this day.

The Soviet ruling elite should take note that while it maintains political control over Estonia, it will never be able to obliterate the strong national traditions held by the people who live there. In spite of Soviet domination, the Estonian people continue to hold onto their cultural heritage. They have never given up the hope that someday they will once again be able to raise the Estonian national flag in a declaration of freedom from Russian rule.

The stirrings of that new independence are being expressed in Estonia today. The Polish Solidarity movement has had a strong influence on Estonian workers. In September 1980, Estonian dissidents sent a message of support to Solidarity leader Lech Walesa, and 1 month later, a strike took place at an Estonian tractor plant.

It has recently been reported in the press that Estonian workers are attempting to organize a countrywide half-hour strike every month in support of Solidarity. It has also been reported that Soviet authorities have detained 150 Estonians for attempting to organize that work stoppage.

All Americans should give their strongest support to this stirring of human rights activism in Estonia. The events in Poland have set off a chain of events that hopefully will culminate in a new burst of freedom for the Soviet-occupied Baltic republics.

Mr. Speaker, as a member of House Ad Hoc Committee on the Baltic States, I urge my colleagues to support the efforts of the Estonian human rights movement.●

SOVIET WATCH

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. FIELDS. Mr. Speaker, in 1935 the noted historian, Will Durant, wrote.

For barbarism is always around civilization, amid it and beneath it, ready to engulf it . . . Barbarism is like the jungle; it never admits its defeat; it waits patiently for centuries to recover the territory it has lost.

In all the history chronicled in Durant's monumental, 11-volume work, "The Story of Civilization," in no place or time has this statement been

more true than in the history of the Soviet Union and its client states.

As E. J. Dillion observed in 1930:

Sovietism is no mere philosophy content to assert itself or even indoctrinate others by convincing, persuading, or cajoling them . . . (It is) first of all a relentless destroyer of the roots of past culture, religious, social, pedagogical, and also of those champions of that culture who remain true to it, refusing to be converted and live.

So it is that the leadership of the Soviet Union, from Lenin to Andropov, have been men of unrestrained brutality who have progressively, patiently, driven back the boundaries of civilization, both Western and Eastern, with a relentless sword of blood and horror, allowing the jungle of barbarism to reclaim the earth, masked by mendacity, propaganda, and the kindly face of socialism.

The following material is presented as another evidence.

YELLOW RAIN AND RED WARS

(By Charles Martin)

Have the Soviet Union and its allies been waging chemical and biological warfare against civilians in Indochina, Afghanistan, and Ethiopia? Convinced by eyewitness reports and a growing volume of circumstantial evidence, American officials have long believed—and occasionally have charged—that the answer is yes. Late in November, the United States presented the strongest documentation yet to support its case. The State Department disclosed that it had obtained two gas masks used by Soviet forces in Afghanistan that were contaminated with potent fungal poisons—the active ingredients of a weapon that has come to be known as yellow rain.

The clear implication, the State Department said, is that Soviet troops were wearing the masks while directing poison spray against Afghan victims. The report cited the testimony of Soviet, Laotian, and Vietnamese defectors, accounts by refugees arriving in Thailand and Pakistan, blood and urine samples from apparent victims, and other evidence.

Pressing its attack, the U.S. charged in December that Soviet-backed government forces in Ethiopia appeared to be employing deadly nerve gas in their campaign against Eritrean insurgents. In fact, the State Department says, the Soviet bloc is also using cyanide, phosgene oxine, chlorpiperin, and "unidentified agents" in military operations around the world.

The Soviets have indignantly denied any involvement in chemical or biological warfare, which is forbidden by international law. The 1925 Geneva Protocol bans first use of chemical weapons, and the 1972 United Nations Convention prohibits even the possession of biological weapons; the U.S. and the U.S.S.R., Afghanistan, and most other countries have signed both agreements. But the Soviets are quick to point out that it was the United States that used Agent Orange, a toxic defoliant, during war in Vietnam. Not only does the Reagan administration hope to even the propaganda score, say the Soviets, but it is also trying to gain support for a proposal to resume production of chemical and biological weapons after a ten-year halt.

The U.S. is not alone in its accusations. The Canadian government, conducting its own investigation, concluded in August that

"chemical and biological agents are being used in Southeast Asia." A group of United Nations experts although they came to no conclusion, acknowledged in November that it "could not disregard the circumstantial evidence suggestive of possible use of some sort of toxic chemical substance in some instances." France was impressed enough by that evidence to urge the creation of a permanent United Nations panel of experts to investigate charges of biological or chemical of biological or chemical attacks as they occur.

Proving Soviet guilt has been difficult, partly because the exotic and poorly understood poisons involved are often present in small quantities in nature. The quest for proof began in 1976, after reports of chemical attacks in Laos against the Hmong, a hill tribe supported by the CIA during the war in Indochina. The Hmong have continued to oppose the communist forces that sized power in Laos in 1975, and the Vientiane government has apparently used chemical warfare in an effort to crush them. Journalist, refugee workers, and diplomats heard tales from Hmong refugees describing a variety of horrors. These usually involved the release of colored gases—white, blue, green, red, or yellow—from low-flying helicopters and airplanes. Sometimes the material dropped was sticky, and smelled like camphor or rotten meat; at other times it was dry, and had the odor of "rubbed bamboo sticks" or burning peppers. The Hmong called the vapors "medicine that fell from the sky" or "yellow rain."

The symptoms described by victims covered the gamut of medical complaints, and defied diagnosis. What, doctors asked, could cause bloody diarrhea, nausea, shortness of breath, a drop in the white blood cell count, dizziness, convulsions, and skin disease, all at the same time?

At first, the strange stories of the sick Hmong were largely discounted as just another form of anti-communist propaganda. But the Hmong kept straggling into refugee camps in neighboring Thailand, repeating their tales: yellow rain dropped on villages by aircraft had infected people, domestic animals, and vegetation. Seeking to document cases, two men attached to the U.S. embassy in Bangkok, Ed McWilliams and Lieutenant Colonel Charles Dennison Lane, began persuading the Hmong to bring samples of the mysterious yellow rain out of Laos.

Toward the end of 1980 the two men approached Dr. Amos Townsend, the International Rescue Committee's medical coordinator, who was working with Laotian refugees in northeastern Thailand, and asked him to help document chemical warfare cases. (The IRC is a privately financed relief organization.) Townsend agreed to cooperate. He prowled the border areas, collecting samples of dust-covered leaves from the local Thai police, camp leaders, and the refugees themselves. "Usually the refugees gave whatever samples they brought out to the Thai border police," Townsend told Discover's Victoria Butler, "and the border policemen tended to put the samples in their desk drawers and forget about them. If it sounds like a highly amateurish affair, it was."

In 1981, while Townsend continued to gather samples of leaves from Laos, the first concrete evidence of chemical attacks elsewhere on the Indochina peninsula turned up. Khmer Rouge guerrillas, who was Thailand as a sanctuary from attacks by the Vietnamese forces occupying Cambodia, gave U.S. government officials a contaminated

leaf and a contaminated twig collected after what was apparently a gas attack. The material was promptly forwarded to the Chemical Systems Laboratories at Edgewood Arsenal in Maryland.

Around the same time, the Army Surgeon General's Office assigned Sharon Watson, a toxicologist with the Army Medical Intelligence and Information Agency, to oversee the analysis of all yellow rain samples. Watson was an expert in mycotoxins—fungal poisons sometimes found in nature, which are dangerous to both human beings and livestock. She began to wonder whether yellow rain might have something to do with these little-known poisons.

After reviewing the scientific literature, reading transcripts of interviews with witnesses and victims in Southeast Asia, and studying new reports from Afghanistan, Watson decided she was on the right track. The medical symptoms matched those known to result from eating grain infected with a fungus belonging to the genus *Fusarium*. This fungus grows and feeds on a number of edible plants, and it produces mycotoxins as by-products. One of the most dangerous groups of mycotoxins is known as trichothecenes, which have been identified as the cause of epidemic poisonings around the time of World War I in regions of the Soviet Union where poor rural families had eaten infected grain products. As a result of these outbreaks, Soviet scientists were the first to begin organized research into the effects of trichothecenes on human beings.

Watson enlisted the assistance of Chester Mirocha, a plant pathologist at the University of Minnesota, to study the yellow rain theory. Mirocha, a specialist in mycotoxins, had examined a crude mixture of *Fusarium* toxins from the Soviet Union during the early 1970's, and had found high concentrations of a particularly deadly trichothecene called T-2 toxin. At Watson's request, Mirocha analyzed the samples from Cambodia, unaware of their origin or nature. Using a computerized gas chromatograph and mass spectrometer, he found three trichothecene mycotoxins in the samples: T-2 toxin, deoxynivalenol, and diacetoxyscirpenol. In the spring of 1981, when Army scientists at Edgewood Arsenal tested three additional samples—one from Cambodia and two from Laos—they detected two of the three toxins that Mirocha had found in his samples. These results led to an announcement by Secretary of State Alexander Haig in September 1981 that the United States had obtained physical evidence that lethal mycotoxins were being used as weapons in Southeast Asia.

As Mirocha analyzed urine, blood, and tissue samples collected by Townsend from victims of yellow rain attacks in Thailand, evidence (mycotoxins in greater amounts than occur in nature) continued to accumulate. Tests also revealed an abnormally low level of white blood cells in some of the victims, a condition that seemed to persist for several weeks after exposure to the toxins. On the strength of this and other evidence, the State Department issued a report last March formally charging the Soviet bloc with waging biological and chemical warfare.

Many scientists, both in the United States and abroad, are withholding judgment on the American charges until all phases of the investigation have been reviewed by other researchers. Skeptics among them have been particularly concerned about the authenticity of samples. They charge that one sample cited by the State Department as

evidence, for example, was supplied by a correspondent representing *Soldier of Fortune* magazine, known for its strong anti-communist stance.

One critic of the State Department study was Matthew Meselson, a biochemist at Harvard and an authority on biological weapons. "My point is not that trichothecenes can't be in use," he said after the March report, "but that there are some very serious questions about the adequacy of the evidence." Among the concerns raised by Meselson: lack of reliable sampling and control methods; uncertainty as to what constitutes a lethal dose of the toxin; and the government's use of what he considered inconclusive evidence to support sweeping conclusions.

Even in light of the evidence in the State Department's November report, Meselson remains unconvinced. He does not challenge the honesty of the scientists who have analyzed and evaluated samples, but insists that too many questions remain unanswered about the authenticity of the samples.

To counter such skepticism, American authorities have refined the methods by which samples are collected, preserved, and analyzed, and now have answers for some of the objections raised by critics. For instance, Meselson and others had found discrepancies between the accounts of survivors of yellow rain attacks and the effects of trichothecene poisons observed in animal experiments. Refugees claimed that exposure to yellow rain sometimes caused hemorrhaging and death within minutes, although no such rapid effects had been observed in laboratory animals.

State Department experts now believe that they have discovered a synergistic effect between trichothecene poisons and another class of fungal poisons, called aflatoxins. Used together, they bring on much more rapid symptoms of poisoning than when used separately, and just such a combination was detected in some samples collected recently. In Southeast Asia, Soviet-backed forces are supposed to be using a lethal mixture of trichothecenes, aflatoxins, pollen and binding agents, and other materials that permit use of the poison as either a wet spray or a dry powder.

Important questions about fungal poisons remain unanswered. American scientists say they are uncertain about the mechanisms by which these poisons attack the body, and know little of their long-term effects. Still, the State Department appears to have gone a long way toward making its case with disinterested scientists.

Says Eugene Smalley, a plant pathologist at the University of Wisconsin and a member of the National Academy of Sciences committee evaluating the Army's technological defenses against mycotoxins, "There is an impressive amount of documentation, and although much of it is circumstantial. I don't have grave doubts that something like this [chemical and biological warfare by Soviet-backed forces] is going on."

There will probably be no quick settlement of the yellow rain controversy, but the charges against Moscow and its allies have become vastly harder to refute. ■

H.R. 1690, THE FEDERAL FIRE-FIGHTERS' SALARY ACT OF 1983

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. LELAND. Mr. Speaker, today, I am introducing legislation which addresses and seeks to remedy the inequitable and inconsistent treatment Federal firefighters receive under current pay practices.

The present compensation scheme for Federal firefighters includes three basic elements—base pay, premium pay, and overtime pay. Base pay is compensation under the General Schedule; premium pay, of up to a maximum of 25 percent of base pay for a 72-hour workweek, is paid for the long and irregular hours Federal firefighters work; and overtime pay is provided for all hours worked in excess of 54 per week.

This complicated formula has resulted in a number of inequities and inconsistencies, demonstrating the inappropriateness of the General Schedule for compensating Federal firefighters. The General Schedule was designed to cover the wide range of employees and occupations making up the majority of the Federal work force. While premium and overtime pay provisions seek to recognize the unique nature of firefighting as compared to other occupations falling under the General Schedule, the current pay scheme does not allow for an appropriate classification of Federal firefighters which reflects the actual level of duties, responsibilities, and skills involved in the performance of duty. In fact, it has ignored the increasing difficulty, responsibility, and hazards with which the Federal firefighter is continually being confronted, as the state-of-the-art advances in aircraft, weapons, and building construction, in rescue procedures, and as hazardous materials have become more and more abundant and their handling more technical.

In spite of current premium and overtime pay provisions, the average Federal firefighter works a 72-hour workweek, for which he receives approximately the same pay as most municipal firefighters receive for an average 54-hour week. The glaring inequity of these long hours and relatively low wages as compared to municipal firefighters threaten morale and has led to difficulties in retaining high quality personnel, with many firefighters leaving the Federal service to work for municipal fire departments.

The computation of overtime pay under the current pay scheme has also been a source of serious discontent. While the Fair Labor Standards Act extended special overtime provisions to all fire and police personnel, man-

dating the payment of overtime for all hours in excess of 54 hours per week, Federal firefighters working 72 hours per week receive only one-half time, not time and one-half, for each of the 18 hours of overtime they are required to work.

In addition, the current pay scheme has had a severe negative impact on the career development of Federal firefighters. The problem arises due to a reluctance on the part of qualified personnel to move into positions involving promotion and increased responsibilities but, because of a shorter workweek and parallel reductions in the rate of premium pay and in overtime pay, offers less take-home pay as a result.

For example, an assistant chief, who is ruled to be "exempt" under the FLSA, gets paid at a lower rate than a crew chief, who is two grades lower and subordinate to him. Similarly, the fire chief, who is a program manager and administrator and, therefore, must work a tour of duty more nearly coinciding with the work hours of other managers at a particular facility, makes considerably less than the assistant chief. As a result of these pay practices, it is becoming more and more difficult to get employees to accept "promotions" to more responsible jobs, since they must take substantial cuts in pay to do so.

For the above reasons, I am introducing legislation today that removes Federal firefighters from the General Schedule classification and pay system and establishes a separate pay system which is designed to deal with, and eliminate, the inequities and inconsistencies of current compensation schemes. This separate pay schedule brings Federal firefighter salaries in line with the vast majority of the profession and provides a realistic classification system that accurately reflects the nature and level of duties performed at every level of the Federal fire service.

In addition, by providing compensation levels that include payment for their long and irregular hours and the hazardous nature of firefighting, this bill disposes of the need for premium and overtime pay calculations and eliminates the problems and inequities that have resulted from these pay practices.

I believe that this discussion of the issues involved supports the argument that Federal firefighters are treated unfairly by the Federal Government in terms of pay and classification. I ask that Congress lend its support to this legislation, so that the current inequities might finally be remedied. ■

ALLOW MARTA CONSTRUCTION TO GO FORWARD

HON. ELLIOTT H. LEVITAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 24, 1983

● Mr. LEVITAS. Mr. Speaker, my colleague, Mr. GINGRICH and I introduced the bill, H.R. 1572, to repeal section 311 of the Surface Transportation Act because there is no longer a need for that provision in the Federal law.

Section 311 of the Surface Transportation Act requires that if the Metropolitan Atlanta Rapid Transit Authority (MARTA) is to receive Federal assistance for the construction of its north-south lines, certain construction priorities must stay in place. These priorities were set to assure that construction of the line in one direction would not take precedence over construction in the other direction, and the amendment to the Surface Transportation Act sought to maintain these priorities. We know that due to budget constraints, any progress on construction of the MARTA system under these priorities would have been difficult to achieve. I was also concerned that under the existing priority requirements, as interpreted by the MARTA board chairman, the next phase of construction could go south rather than north thereby further delaying the benefits to the patient taxpayers in DeKalb County in the Chamblee and Doraville areas. Accordingly, I felt it was important the leaders in the Georgia General Assembly and the local community leaders of the metropolitan area get together and seek a solution to this dilemma. Such a meeting took place on February 11, 1983.

In an admirable display of statesmanship and cooperation, the officials at all levels of government, in the counties, cities, and congressional districts directly involved in this matter, sat down and worked out a compromise which will allow construction of the MARTA lines to go forward. Parochial considerations were put aside as the representatives of the areas served by the north-south lines came together and worked out an agreement which serves the needs of each community adequately and fairly. The diplomatic spirit which guided this group of officials produced an agreement which serves the interests of the entire metropolitan area, and incidentally will assure that the MARTA line will be deeper into DeKalb County at an earlier time than might otherwise have occurred. These leaders truly had the best interests of their constituents and the greater community at heart in reaching this compromise.

DeKalb County, which is in my district, will fare well under this compromise. Under the old north-south for-

mula for constructing the lines in equal priorities, construction of the line to Chamblee would have actually been delayed. The chairman of the MARTA board of directors had said that the Brookhaven line would be completed first and then the East Point line would be built. After that, they would have had to make a decision as to whether or not to go to College Park or to Chamblee next as there was not enough money to do design and construction on both. Under the compromise reached, the Brookhaven and East Point legs would be completed next, with the Chamblee station thereafter, followed by the airport leg and then the Doraville station. The compromise will serve DeKalb well. The plan also will serve the airport and the community of airport users well.

At this point, I would like to place in the RECORD an article from the Atlanta Journal of February 16, 1983, which discusses the benefits of this compromise.

MARTA'S CART BEFORE HORSE

Rep. Elliott Levitas is to be commended for trying to resolve MARTA's construction impasse—a legal mandate that it build the North-South line in equal parts.

Levitas knows well the plain truth that in a simultaneous construction plan the money would run out before the rapid rail reached Doraville on the north or Hartsfield International Airport on the south.

To bring some sense to that, the construction schedule must be changed by an act of the General Assembly. Atlanta and Fulton and DeKalb County leaders must decide whether north or south will come first.

But the discussion is academic.

MARTA now has the money to build to its Brookhaven and Lakewood stations by next year. The transit agency anticipates having the money from its share of the federal gasoline tax increase to build to East Point on the south by 1986.

Stations and service for Chamblee and Doraville and College Park and the airport remain only plans without funds.

We have recommended just the segmented construction approach that Levitas is espousing. Rapid rail service would be extended north to Chamblee first, then to the airport and finally to Doraville.

It makes sense because Chamblee will serve the northern reaches of DeKalb County, an area slighted by MARTA's timetable. It will also relieve the pressure on the station in residential Brookhaven as a terminal.

Then can come the important airport link and eventually Doraville, which will also serve Gwinnett County. Residents there aren't paying the MARTA sales tax.

But even if every MARTA rider and supporter agreed to the construction schedule, the money isn't there. We hope Levitas continues his efforts for federal funds and presses state legislators to extend the MARTA sales tax and search for new construction funds.

Blueprints won't get riders from the airport, Chamblee or Doraville.

All of the local officials, State senators and House members, and Members of Congress involved in this matter endorsed the compromise plan.

It is a good plan which will allow the lines to stretch into the northern portions of DeKalb County at an earlier date as well as allowing the lines to reach the airport at an earlier date. In order to let the Georgia General Assembly implement the compromise, section 311 needs to be repealed because its purpose has been served.

I would like to thank and commend all of those who took part in this effort and who worked with us to reach this compromise.●

SOCIAL SECURITY ACT AMENDMENTS OF 1983

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. ROSTENKOWSKI. Mr. Speaker, on Tuesday, March 1, the Committee on Ways and Means will begin consideration of the Social Security Act Amendments of 1983. Because of the importance of this major legislation, it is anticipated that when this bill is reported by the committee, we will be asking the leadership to schedule it for floor consideration at the earliest opportunity. As a result, in accordance with the rules of the Democratic Caucus, I take this time to inform my colleagues that it will be the intention of the committee to request less than an open rule on this matter.●

BLACK HISTORY MONTH—RECOUNTING THE TRUE HISTORY OF AMERICA

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. PATTERSON. Mr. Speaker, February is Black History Month. We have so designated this month in order that all Americans might take the time to learn more about the history of a group of Americans who much too often have been forgotten in the recounting of American history.

Black Americans, enslaved and free, were among the very first American citizens. Although their history is full of tragic accounts of injustice suffered by persons oppressed by slavery and institutionalized racism, it is also the history of a people who have relentlessly struggled to make this Nation live up to its creed " * * * with liberty and justice for all." Their stories are those of heroism, courage, and perseverance.

During Black History Month in my home district, several commemorative events are scheduled. Organizations such as the Orange Black Historical Commission, the Inter-Cultural Com-

mittee for the Performing Arts, the Interested Citizens of Santa Ana, The Orange County Links, the Alpha Kappa Alpha Sorority, and the Park and Recreation Department of the city of Santa Ana are sponsoring black history programs in an effort to educate the public and recognize the many contributions made by outstanding black members of the community.

Among the activities scheduled is a fund-raising event designed to gather funds necessary to establish a scholarship in memory of one of Orange County's most outstanding black women and a personal friend of mine, Mrs. Lilly King. We lost Lilly this past fall to a fatal bout with cancer, but she will be remembered as an exceptional human being who gave unselfishly of her time and talents so that others in the community might enjoy a more enriching human experience. As coordinator of the Santa Ana Corbin Community Center for several years, Lilly King's work touched the lives of many. She was an active member of several boards, councils, and interested groups, including my own minority advisory council. She was also particularly concerned about the future of young people, especially black youngsters, and she was a most devoted and loving wife and mother.

While I cannot begin to note the long list of achievements and contributions Lilly made during her lifetime, let it suffice to say that she was truly an extraordinary individual who set an example not only for those of us who knew her, but also those who will undoubtedly learn about her in the future; and I am so thankful to have had her counsel and friendship.

As the month of February unfolds I urge my colleagues to join me in recognition of our black forefathers and mothers. By acknowledging the history of black Americans, we embrace the true breadth of American history.●

BLIND TRUST FOR PAC'S

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. COURTER. Mr. Speaker, we are all aware of the growing cries for campaign financing reform, resulting from the fact that the 1982 midterm elections were the costliest in history. While the mounting price of running for office can be attributed to a number of factors—inflation, more sophisticated campaign techniques, the increase in individual contributions, and so forth—it is widely asserted that the proliferation of PAC's is the primary force behind rising campaign expenditures. This popular notion, reinforced through the media, has caused our constituents to assume that

PAC's enjoy an inordinate level of influence in the House and Senate.

It has become evident to me that the average American believes that PAC money is dramatically transforming the Federal legislature. I personally believe this is a gross misperception. PAC's are not necessarily evil. PAC's, in and of themselves, can be an effective way for individuals to amplify their participation in the democratic process. Furthermore, I am confident that the tremendous majority of contributions donated by these special interest organizations come with no strings attached. Nevertheless, there is an overwhelming apprehension that the political quid pro quo is the norm; and, consequently, the public believes PAC's control the actions of Congress and influence the votes of its Members.

The problem with PAC money is not simply that there is too much of it, or that it is unrepresentative of the general will. Instead, the problem is people perceive that PAC money is buying our votes. The seriousness of this charge cannot be overstated.

We must eliminate that single factor which permits the perception that Members of Congress can be influenced \$10 worth or \$10,000 worth. We must eliminate the opportunity for a quid pro quo. Therefore, I have introduced legislation which would create a blind trust instrument for distributing PAC contributions to candidates for Congress. According to this proposal, the FEC would be the funnel agent for all PAC contributions and would set up individual accounts for each candidate for the House and Senate. PAC's would be instructed to send their contributions to the FEC, which, in turn, would distribute these funds to the designated candidates in a timely manner. This mechanism would preserve the important right of PAC's to support a candidate with whom they are in general philosophical agreement. However, my bill would prohibit PAC's, the FEC, or any individual from disclosing the dollar amount of PAC contributions, thereby eliminating the grounds for concern that PAC's can unduly influence the decisions of elected officials.

Although my legislation would not permit specific dollar amounts of contributions to be made public, the right of PAC's to express their support for a candidate and the need for the candidate to be cognizant of those groups which are endorsing his platform should be upheld. For this reason, a provision has been included which mandates public disclosure of the specific PAC's which have given financial support to each candidate for Congress. This public disclosures would also include the aggregate amount of PAC contributions to a given candidate and the aggregate amount of

money each PAC has given to all congressional candidates.

As penalties for abuses of the Federal election campaign laws are traditionally determined by the FEC, this legislation contains no specific fines for illegal disclosures of PAC contributions. However, it is intended that disclosures of dollar amounts of contributions would be considered criminal action. While some may charge that it would be impossible to stop a PAC representative from subtly indicating to a candidate that he or she can expect a large "donation" in return for certain action, I submit that, in the wake of Abscam and the general paranoia surrounding this scandal, candidates would be loath to take part in such a blatant disregard for the law. Furthermore, in view of the fact that candidates would be prohibited from viewing the financial records of PAC's, the candidate would inevitably doubt the veracity of any hint that he or she was receiving a substantial contribution from a given PAC.

To date, most efforts to address the need for campaign financing reform have missed the real issue: the perceived pressure applied to Federal legislators on each and every vote. Public disclosure of political contributions, the most widely accepted means of deterring corruption, has indirectly served to heighten public skepticism, while suggestions to limit the percentage or aggregate amount of PAC contributions to candidates further limit the scope of participation in congressional elections, and do nothing to eliminate the candidate's ability to connect specific PAC contributions with their sources. And finally, although the public financing initiative has been endorsed by well-meaning groups and individuals, this effort to "sanitize" the entire campaign process would present numerous difficulties. In particular, it would stifle free expression.

We must erase the opportunity for suspicion that every vote comes with its own price tag, and I am confident that a "blind trust" for PAC contributions would do just that. I submit my proposal as a good faith effort to maintain the integrity of our political system, and I sincerely hope my colleagues in the House and Senate will join with me in support of its passage.●

A LOOK AT THE REAGAN BUDGET

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. HOYER. Mr. Speaker, the budget delivered to the Congress by the administration exposes the contra-

diction and cruel irony of the President's campaign last year to enact a constitutional amendment to balance the budget.

The 1984 Reagan budget projects next year's deficit at a level eight times the size of Richard Nixon's largest deficit. It anticipates a 1984 deficit almost three times the size of Gerald Ford's largest deficit. And it projects a deficit in 1984 that is almost 3½ times the size of Jimmy Carter's largest deficit. In short, Ronald Reagan is the only President—Democrat or Republican—who has had the courage to sponsor the drive for a constitutionally mandated balanced budget at the same time he was sponsoring the largest deficits in the history of the Republic. It is almost as if the administration were asking Congress and the American people for protection from itself.

The administration has no one to blame for these deficits but itself. It has no one to blame for the Government's debt frustrating private investment but itself. It has no one to blame for the debilitating rate of unemployment but itself. The administration has chosen a set of priorities that have robbed the middle class of education benefits, targeted tax breaks to the wealthy, and funded a defense program at levels that are unreasonable in light of our fiscal condition.

The administration's budget, like all budgets, reveals something about its crafters. This budget is not a thrifty budget—it is the most expensive in history. This budget does not result in a balanced budget as we were promised during the 1980 Presidential campaign; instead, it offers us unprecedented deficits. This budget does not deal with unemployment; instead, it places highly accelerated defense spending over the needs of the jobless.

The administration has characterized Democrats as the party that taxes and taxes and spends and spends. I would counter, Mr. Speaker, that this administration has given us the largest tax increase in history, the largest budget in history, the largest deficits in history, and the highest interest rates, and the highest unemployment rate in five decades.

If budgets tell you something about an administration and its priorities, this document, Mr. Speaker, says it all.●

YOUR GIFT COULD SAVE A LIFE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. OTTINGER. Mr. Speaker, I am pleased to bring to the attention of my colleagues a most important and worthwhile event.

Tuesday, March 1, the National Kidney Foundation will kick off the "National Organ Donor Awareness Week," designed to increase the public's awareness of the importance of organ donation.

Members of Congress and their staffs are invited to participate in this campaign, on March 1, by joining in the scheduled signing ceremony from noon to 3 p.m. in room H-128 of the Capitol.

This session provides Members and their staffs with the opportunity to publically sign an organ donor card. Art Buchwald and Pat Paulsen will be on hand to act as the necessary witnesses.

The organ donor card has been legally recognized in all States since the passage of the Uniform Anatomical Gift Act of 1968. Signing this card gives one a chance to provide the gift of life to another by donating one's organs after death.

Dramatic improvements in surgical techniques and vastly improved immunosuppressive drug therapy have radically altered the potential for successful transplantation and survival of many human organs from unrelated donors. Among these are procedures for transplant of kidney, cornea, liver, heart, and combined heart/lung.

While there are 4,500 kidney transplants annually, another 10,000 Americans cannot receive one because of a lack of suitable organs.

In addition, these recent medical advances have uncovered profound deficiencies in our present system of organ procurement.

An immediate opportunity for congressional action to remedy this lack of organs is to complete the uniform donor card provided by the National Kidney Foundation.

Further problems and solutions will be examined in hearings held April 13 and 14 by the Subcommittee on Investigations and Oversight, chaired by Representative ALBERT GORE, JR.

In the meantime, we look forward to seeing you on March 1.●

THE 65TH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF THE REPUBLIC OF ESTONIA

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. LENT. Mr. Speaker, I would like to take this opportunity to call to the attention of my colleagues the 65th anniversary of the Declaration of Independence for the Republic of Estonia. This most important event in world history climaxed years of struggle for freedom on the part of the Estonian people. For only two brief dec-

ades, between 1920 and 1940, the Republic of Estonia grew and flourished, enjoying the fruits of independence and freedom we all take so much for granted.

However, in 1940, this peace was shattered with brutal and unrelenting force when, as it has done so often, Communist Russia violated its own peace treaties and conquered Estonia and its Baltic neighbors, Latvia and Lithuania. For nearly 43 years, the Estonian people have been severely persecuted and oppressed by the Soviet Union. They have been denied the basic human rights stipulated in the Helsinki Final Act, signed by the hypocritical leadership of the Soviet Union nearly 8 years ago. Despite these violations, the courageous and proud Estonians have contained their heroic struggle against the dark and fearsome powers of the Kremlin.

My colleagues, we must not forget the cries of millions of tortured, oppressed peoples and must continue to press for that day when the Estonians will again breathe the fresh air of freedom, liberated from the depths of the dank dungeons of the Soviet geopolitical machine.

Mr. Speaker, as we observe this 65th anniversary of Estonia's independence, let us remember that the United States stands as a beacon of hope to not only Estonians, but to millions of people across the globe who are oppressed by the cruel leaders in the Kremlin. As a bulwark of democracy, the United States has the honor and responsibility to champion the cause of freedom worldwide so that freedom and self-determination may once again come to the courageous people of Estonia and the other captive nations on this Earth.●

TRIBUTE TO MS. MILLIE DANIELS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. SKELTON. Mr. Speaker, I take this time to recognize and honor Ms. Millie Daniels, who, for the past 33 years, has worked for the Department of the Army. Ms. Daniels, who is originally from Missouri, has made a significant contribution to the morale and welfare of countless soldiers and airmen since before the Korean war, to the present, in her duties in the Recreation Services of the Army. In the past few years Ms. Daniels has been working in Korea and has been an extraordinary good will ambassador from the American people to the Korean people. Through her work, she has made American service men and women feel more at ease while stationed so far from home. Ms. Daniels'

long years of dedicated service provide us with a model that all people can look to and attempt to emulate in their own lives.●

THE PEOPLE'S PARADISE

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. FIELDS. Mr. Speaker, some form of socialism/communism is dominant in many nations and every continent. The idea of socialism is especially attractive to intellectuals who are able to maintain a comfortable distance from actual socialist practices.

Though socialism is a god that fails continuously, and causes more human suffering and tragedy than any idea or practice in history, there are those who stubbornly cling to its high-minded idealism. They religiously close up their eyes to the reality that the socialist promise of instant utopia brings only the tyranny of a real dystopia.

It is for them that the following glimpse of reality is provided.

[From Human Events, Nov. 20, 1982]

FOR THE AVERAGE RUSSIAN CITIZEN: LONG LINES, FEW GOODS, AND AN INCREASINGLY BLEAK LIFE

(By Allan Brownfeld)

Moscow.—Visiting the Soviet Union is a sobering experience. It is one thing to review statistics about declining Soviet grain production and to read reports about the shortage of even the most basic necessities of life, and quite another to walk the streets of Moscow and other Russian cities and observe the life of average citizens of the USSR.

For those Russians who are not part of the Communist elite, life is increasingly bleak. This writer visited department stores, food and clothing shops in Moscow, Leningrad and Kiev. In all of them, lines were long and goods were few.

In a meat shop on Gorky Street, Moscow's equivalent of Fifth Avenue, I observed what almost developed into a brawl, as customers fought over the one remaining chicken. The line was 20 deep, and many who had waited for at least an hour or more arrived at the counter only to find that nothing was left to purchase. In a vegetable shop in Kiev on a sunny Sunday afternoon, 12 people waited in line with shopping bags. The only things available were potatoes, cabbages and cucumbers.

At the famous GUM department store, across from the Kremlin and Red Square, long lines were to be found on weekday evenings at 9 p.m. for such basic items as socks, underwear and toothpaste. Shopping for the basic necessities of life occupies much of the non-working time of Russians.

Hedrick Smith, former New York Times correspondent in Moscow, notes, "The accepted norm is that the Soviet woman daily spends two hours in line, seven days a week, going through double the gauntlet that the American housewife undergoes at her supermarket once, maybe twice a week."

"I noted in the Soviet press that Russians spend 30 billion man-hours in line annually

just to make purchases. That does not count several billion more man-hours expended waiting in tailor shops, barbershops, post offices, savings banks, dry cleaners and various receiving points, for turning in empty bottles and so on. But 30 billion man-hours alone is enough to keep 15 million workers busy year-round on a 40-hour week.

"Personally, I have known of people who stood in line 90 minutes to buy four pineapples, three hours for a two-minute roller-coaster ride, three and a half hours to buy three large heads of cabbage, only to find the cabbages were gone as they approached the front of the line, 18 hours to sign up to purchase a rug at some later date. . . . Lines can run from a few yards to half a block to nearly a mile. . . . The instinctive reaction of a Russian woman when she sees a queue forming is to get in line immediately—even before she knows what is being sold."

The group of journalists with whom I was traveling stayed in new, modern hotels which were constructed for the Russians by Swedes and Finns for the 1980 Olympics. We were provided with the best available food, although, even for foreign visitors, the Russians were unable to provide fruit of any kind—much less orange or grapefruit juice.

The bars appeared to be well stocked, yet we were told on at least three occasions that as early as 10 p.m., "we are out of beer for tonight." Anyone who wanted a second cup of coffee with dinner was charged an additional fee. We were told that coffee was a scarce and valuable commodity in the Soviet Union. Our privileged life was meant to be as separated as possible from average Soviet citizens. Guards stood at the doors of the hotel to keep Russians out.

While the Soviet Union has devoted its funds and energy to building the world's most powerful military machine, its domestic economy is in a state of growing disarray. No place is this more apparent than in the agricultural sector.

Almost a quarter of Soviet workers are in agriculture, yet they still cannot feed the country. By contrast, only 3 per cent of the American labor force is engaged in farming and produces vast surpluses. Each U.S. farm worker feeds 60 Americans; each Soviet farmer feeds only eight Russians. In fact, no country has ever dominated world grain trade as the United States does today. Its 55 per cent share of world grain exports in 1981 easily overshadows Saudi Arabia's 32 per cent share of world oil exports.

This year, because of its own failed system of collective farms, the Soviet Union will attempt to import 46 million tons of grain—more than any other country in history. As a result, one-fourth of all the grain for Soviet human and livestock consumption will come from abroad, according to a study by the Worldwatch Institute. Over one-half of this imported grain will come from North America, most of it from the United States. In this sense, we continue to bail out Moscow's failed agricultural system and permit its massive expenditures for defense.

While communism may have made the Soviet Union a military success, it remains clearly an economic failure. The average Russian has one of the lowest standards of living in the industrial world. As Nicholas Daniloff, the Moscow correspondent of U.S. News & World Report, points out, "The fact that the Soviet economy is an economy of scarcity is underlined by long lines at stores, black marketeering, bribe-giving and bribetaking—and the government's harsh new campaign to stamp out speculation and corruption."

The only bright spot in Soviet agriculture is the small island of free enterprise represented by the tiny private plots that workers on collective and state farms are allowed to cultivate—occupying less than 2 per cent of the farmland, but producing one-third of the total meat and vegetable output.

Westerners resident in Moscow report that the people seem to have lost whatever incentive they had to work—not only in agriculture, but throughout the Soviet economy. The incentive of private gain has been banned and the ideological exhortations to avoid waste and work harder no longer have much effect.

Soviet officials are now admitting their concern. Radio Moscow, for example, recently compared the Tolyatti plant, built by Fiat on the Volga River, and the Daimler-Benz plant in West Germany. The broadcast complained that Soviet output lags far behind in quality and quantity because of chronic absenteeism and tea breaks.

It is the Soviet elite, however, which pursues the profit motive to ever greater heights. While Communist ideology speaks of a "classless" society—and a state designed to serve the "worker," it is the governing elite which is largely served. They do not wait in long lines for meager goods. Instead, the elite groups shop in separate stores, deliberately unmarked to avoid attention and accessible only with a special pass.

"These stores," Hedrick Smith points out, "insulate the Soviet aristocracy from chronic shortages, endless waiting in line, rude service and other daily harassments that plague ordinary citizens. Here, the politically anointed can obtain rare Russian delicacies like caviar, smoked salmon, the best canned sturgeon, export brands of vodka or unusual vintages of Georgian or Moldavian wines, choice meat, fresh fruit and vegetables in winter that are rarely available elsewhere. . . . Certain stores also provide the elite with foreign goods the proletariat never lays eyes on. . . ."

"Supreme leaders of the Communist party get the kremlensky payok, the Kremlin ration—enough food to feed their families luxuriously every month—free. By contrast, an ordinary urban family of four might spend 180-200 rubles a month, easily half its income on food."

Western Marxists who view the U.S.S.R. as a model for their own societies should come here for a visit. They would be quickly disabused of their romantic notions and would discover that the myth and the reality are radically different.

A SALUTE TO U.S. ENGINEERS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. BROWN of California. Mr. Speaker, the national progress and economic health of the United States are directly linked to technological and industrial innovations. Engineers foster the innovation process by taking scientific knowledge and converting it into the design of products and processes. All of us share in the economic, environmental, and social benefits. Therefore, I would like to take this opportunity to remind my

colleagues to honor engineers this week, February 20-26, 1983, National Engineers Week.

Engineers make an important contribution to our society, because our economic leadership has resulted in large part from our lead in technological and industrial innovations. New technologies will help to revitalize our economy by making basic industries competitive and by expanding opportunities in high-technology growth industries. One of the keys to our future success will be the dedication and creativity of engineers.

The following articles salute U.S. ingenuity by naming the outstanding engineering achievements of 1982 and by honoring the 1983 inductees into the National Inventors Hall of Fame.

[From the Engineering Times, February 1983; National Society of Professional Engineers (NSPE)]

WINNERS INCLUDE BRIDGES, AIRCRAFT—NSPE SALUTES U.S. INGENUITY, NAMES OUTSTANDING ENGINEERING ACHIEVEMENTS FOR 1982

An offshore oil platform, a 4.2-mile-long bridge, a lightweight airplane, and a three-dimensional photographic system are among the 10 winners in NSPE's annual salute to American engineering ingenuity—the Outstanding Engineering Achievement awards program.

Chosen from among many entries in a national competition, the winners for 1982 exemplify the very best in U.S. engineering technology. Each winner was nominated by one or more NSPE chapters, as part of NSPE's ongoing effort to promote public recognition of the widespread contributions of engineering to all aspects of American life.

The Outstanding Engineering Achievements of 1982 are:

The Seven Mile Bridge, Florida Keys. The longest (35,000 ft.) bridge of its kind in the world, it is made of precast, prestressed concrete segments which saved more than \$7 million over conventional design. The bridge, completed six months ahead of schedule, was nominated by the Big Bend Chapter of the Florida Engineering Society.

1982 World's Fair, Knoxville, Tenn. Engineering feats at the fair, where a total of more than \$250 million in construction was accomplished in just 30 months, include the trademark "Sunsphere," a 74-foot-diameter sphere sitting atop a 192-ft. hexagonal steel tower. The Fair was nominated by the Knoxville Chapter of the Tennessee Society of Professional Engineers.

Bacardi Waste Treatment and Energy Recovery System, San Juan, Puerto Rico. This facility converts rum distilling waste to methane gas for use in distillery boilers, supplying one-half the energy requirements of the distillery. The system, which saves the distillery \$3500 daily, was nominated by the Western Chapter of the Missouri Society of Professional Engineers.

Cerveza Ligera Platform, Union Oil Co. Located in the Gulf of Mexico, 100 miles from the Texas shore, this platform features a very light oil rig jacket (the steel frame that supports the platform). This type of jacket makes possible the development of oil and gas fields in waters as deep as 1400 ft. The platform was nominated by the New Orleans Chapter of the Louisiana Engineering Society.

Lear Fan aircraft. Developed by Lear Fan Ltd. of Reno, Nevada, this revolutionary business aircraft features fuselage-mounted engines and a rear-mounted propeller. Built almost completely of graphite/epoxy composites, the plan is half the weight of aluminum and uses only one-half to one-third the fuel of a comparable conventional aircraft. The plane was nominated by the Reno Chapter of the Nevada Society of Professional Engineers.

Jesse H. Jones Memorial Bridge, Houston Ship Channel, Texas. Including its ramps, the bridge project runs 4.2 miles, and includes the longest main span (750 ft.) for a segmentally constructed concrete bridge in the Americas. Engineers working on the project developed a superstrong concrete mix to combat humid weather. The bridge was nominated by the Western Chapter of the Missouri Society of Professional Engineers, and by the Texas Society's San Jacinto Chapter. Solar energy system, Illinois Department of Agriculture, Springfield. A showplace of solar technology and energy-efficient design, the facility includes more than 10,000 feet of solar collectors, which are designed to supply 22% of air-conditioning, 43% of heating, and 70% of hot water needs. The Capital Chapter of the Illinois Society of Professional Engineers nominated the project for an award.

EPCOT Center, Orlando, Florida. An acronym for Experimental Prototype Community of Tomorrow, EPCOT Center is the largest private building project in the U.S., costing more than \$800 million and covering 260 acres of the 28,000-acre site of Disney World near Orlando. Exhibits are both entertaining and educational, dealing with such subjects as communications and energy technologies, the history of transportation, and state-of-the-art agricultural engineering. The center was nominated by the Central Florida Chapter of the Florida Engineering Society.

Nimslo Three-Dimensional Photographic System Engineers at the Nimslo Corp. near Atlanta have developed a fully automatic three-dimensional photographic print system for consumer use. The system produces 3-D photos which can be viewed without aids. The camera weighs only 12 oz.; the price for prints is comparable to other instant cameras. The system was nominated by the Sandy Springs Chapter of the Georgia Society of Professional Engineers.

Fast Flux Test Facility, Hanford, Washington. The largest experimental fast flux nuclear reactor in the U.S., this 400 megawatt facility is designed for irradiation testing of fuels, alloys, and components for breeder reactor systems of the future. Many of its designs, components, and operating systems are "firsts" that, it is hoped, will pave the way for future breeder reactor technologies. The facility, owned by the U.S. DOE, was nominated for an award by the Tri-Cities Chapter of the Washington Society of Professional Engineers.

[From the National Inventors Hall of Fame, U.S. Department of Commerce, Patent and Trademark Office]

THE NATIONAL INVENTORS HALL OF FAME

The National Inventors Hall of Fame is dedicated to the individuals who conceived the great technological advances which this nation fosters through its patent system. The purpose of The Hall is to honor these inventors and bring public recognition to them and to their contributions to the nation's welfare.

Inventors are selected for The Hall of Fame by the Selection Committee of the National Inventors Hall of Fame Foundation. The Selection Committee is composed of representatives from national scientific and technical organizations. Each year the members of this Committee vote to select the most qualified inventors from those who are nominated for induction.

In its voting, the Selection Committee considers whether the invention of the nominee is covered by a United States Patent, the contribution of the invention to the nation's welfare, and the extent to which it promotes the progress of science and useful arts.

ALEXANDERSON (PATENT NO. 1,088,557) HIGH-FREQUENCY ALTERNATOR

Ernst Alexanderson, Swedish-born American inventor, who died on May 14, 1975, at the age of 97, was the General Electric Company engineer whose high frequency alternator gave America its start in the field of radio communication.

During his 46-year career with GE, he became the company's most prolific inventor, receiving a total of 322 patents. He produced numerous inventions in such fields as railway electrification, motors and power transmissions, telephone relays and electric ship propulsion, in addition to his pioneer work in radio and television.

In 1904, Dr. Alexanderson was assigned to build a high frequency machine that would operate at high speeds and produce a continuous wave transmission. Before the invention of his alternator, radio was an affair only of dots and dashes transmitted by inefficient crashing spark machines. After two years of experimentation, Dr. Alexanderson finally constructed a two-kilowatt, 100,000-cycle machine. It was installed in the Fessenden station at Brant Rock, Massachusetts, and on Christmas Eve, 1906, it enabled that station to transmit a radio broadcast which included a voice and a violin solo.

Alexanderson's name also will be recorded in history for his pioneer efforts in television and the transmission of pictures by radio. On June 5, 1924, he transmitted the first facsimile message across the Atlantic. In 1927 he staged the first home reception of television at his own home in Schenectady, New York using high frequency neon lamps and a perforated scanning disc. He gave the first public demonstration of television on January 13, 1928.

He held patents on such devices as the inverter, by which direct current can be changed into alternating current through the mercury vapor arc, and single-phase motors for railway electrification. He also made important contributions to radiant-energy guiding systems for aircraft and the automatic steering of both air and water craft, and developed countless applications of vacuum tubes in power transmission.

He also was associated with the amplidyne—an extremely sensitive and powerful system of amplification and automatic control adapted to the firing of antiaircraft guns in World War II.

He received many honors and several honorary degrees. He was awarded, among others, the Gold Medal of the Institute of Radio Engineers in 1919 and the Edison Medal from the American Institute of Electrical Engineers in 1944.

ALFORD (PATENT NO. 2,682,050) LOCALIZER ANTENNA SYSTEM

Andrew Alford, president and founder of the Alford Mfg. Co., was born August 5, 1904 in Samara, Russia.

He was graduated from the University of California in 1924 with an A.B. degree and received the honorary title of D.S. from Ohio University in 1975.

He was employed with the Harvard University Radio Research Lab from 1943 to 1945; was division head, Direction Finder and Antenna Division, ITT, from 1943 to 1945; was head, Air Navigation Lab, International Telegraph Development Corp., 1938-41; was with Mackay Radio and Telegraph Co., 1934-41; did engineering work for Fox Film Corp., 1929-31; and was on the sound lab staff at California Institute of Technology, 1927-28.

He is a member of IEEE, Past Chairman Antenna Committee; and Radio Technical Commission for Aeronautics.

He received the Pioneer Award, IEEE, in 1965; the Certificate of Merit in 1948; and a graduate fellowship in physics and astronomy at the University of California in 1924.

He invented and developed antennas for radio navigation systems, including VOR and instrument landing systems, and the "Alford Loop" antenna.

DOW (PATENT NO. 11,232) PROCESS OF EXTRACTING BROMINE

Herbert Henry Dow, founder of the Dow Chemical Company and one of the creators of the modern American chemical industry, was born in Belleville, Ontario, in 1866.

His native genius and foresight enabled him to build a fortune from the very salts of the earth. He received his formal training from Case School of Applied Science and was graduated in 1888 with a B.S. degree.

As a young man he entered the rudimentary chemical industry of the 1890's by inventing an entirely new method of extracting bromine from the prehistoric brine trapped underground at Midland, Michigan. His first patent was issued in 1889 and by 1933 he had over 90 patents. While his inventions include such diverse items as electric light carbons, steam and internal combustion engines, automatic furnace controls and water seals, most of his inventions were chemical in nature.

He is best known for his work in halogen chemistry, particularly the production of bromine and chlorine. Most of his chemical patents were for truly "pioneer" inventions, and the remainder were practical improvements which took halogen science from theory to reality, creating employment and an environment which encouraged a healthy combination of basic and applied research. The combined effect of his inventions was to improve the quality of life for millions of people around the world.

He was a public-spirited citizen, serving on boards of public works and education for many years. He was a trustee of the Case School of Applied Science and a member of the American Chemical Society, American Association for the Advancement of Science and many other technical societies. During the First World War he was a member of the advisory committee of the Council of National Defense. In 1930 he was awarded the Perkin medal by the Society of the Chemical Industry.

His favorite saying was, "If we can't do it better than the others, why do it?" That philosophy became the cornerstone of the Dow Chemical Company.

Herbert Henry Dow died in 1930 following an operation in Rochester, Minnesota.

NOYCE (PATENT NO. 2,981,877) SEMICONDUCTOR DEVICE-AND-LEAD STRUCTURE

Robert N. Noyce was born in Iowa in 1927. He received a B.A. degree from Grinnell Col-

lege (Iowa) in 1949, and a Ph.D. in physical electronics from the Massachusetts Institute of Technology in 1953. He did research at Philco Corp. until 1956 when he joined Shockley Semiconductor Laboratory, Palo Alto, California, to work on transistor technology.

In 1957 he co-founded the Fairchild Semiconductor Corp. in Mountain View, California. He was research director until early 1959 when he became vice-president and general manager.

As research director of Fairchild Semiconductor, he was responsible for initial development of the firm's silicon mesa and planar transistor product lines.

In July 1968 he co-founded Intel Corp. with Gordon E. Moore, who had also been a co-founder of Fairchild Semiconductor and a member of the Shockley laboratory staff.

He is vice-chairman of the board of directors of Intel Corp. in Santa Clara, California. He served as president of Intel until 1975 and chairman of the board from 1975 to 1979.

Dr. Noyce received the Ballantine Medal of the Franklin Institute and the Cleo Brunetti Award of the IEEE for work on the integrated circuit. He and Gordon Moore received the AFIPS Harry Goode award for leadership in computer science. He was awarded the National Medal of Science and the IEEE Faraday Medal in 1979, and the IEEE Medal of Honor in 1978. He is a member of the National Academy of Sciences, the National Academy of Engineering, the American Academy of Arts and Sciences, and is a Fellow of the IEEE.

He holds 16 patents for semiconductor devices, methods and structures.

STIBITZ (PATENT NO. 2,668,661) COMPLEX COMPUTER

George R. Stibitz was born on April 30, 1904, in York, Pennsylvania. He attended Moraine Park, an experimental school in Dayton, Ohio, and was graduated from Denison University in 1926 with a Ph.B. in Applied Mathematics. He received an M.S. from Union College in 1927 and a Ph.D. from Cornell in 1930 in the field of physics.

Stibitz joined Bell Telephone Laboratories in 1930 where he served as a mathematical consultant. From 1940 to 1945 he was on loan to the Office of Scientific Research and Development. Following World War II, he was an independent consultant in applied mathematics for various government and industrial agencies. In 1964 he joined the Department of Physiology at Dartmouth Medical School as a research associate. Since that time he has been working primarily on applications of physics, mathematics and computers to biophysical systems. He became a professor in 1966 and professor emeritus in 1970.

His interest in computers arose from an assignment in 1937 to study magneto-mechanics of telephone relays; he turned his attention to the binary circuits controlled by the relays, to the arithmetic operations expressible in binary form, and in November 1937 to the construction of a two-digit binary adder. The next year, with the help of S. B. Williams of Bell Labs, he developed a full scale calculator for complex arithmetic. This computer was operational late in 1939 and was demonstrated in 1940 by remote control between Hanover, New Hampshire, and New York. Several binary computers of greater sophistication followed. In these computers were introduced the excess 3 code, floating decimal arithmetic, self-checking circuits, jump program instructions, taped programs and "table-hunt-

ing" subcomputers. He has 34 patents and is internationally recognized as the father of the modern digital computer.

Dr. Stibitz received the Harry Goode Award of the American Federation of Information Processing Societies in 1965, and an Honorary Doctorate of Science from Denison University in 1966. He was the first recipient of the IEEE Emanuel R. Piore Award for "outstanding achievement in the field of information processing" in 1977. ●

NICARAGUAN LOAN ENDANGERS IDB

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. KEMP. Mr. Speaker, I was troubled greatly to learn that the Inter-American Development Bank is considering once more a \$30 million loan to Marxist Nicaragua. This loan has been brought forward twice before only to be withdrawn under pressure from the United States. Now it appears that IDB managers are prepared to bring the loan to a vote, despite our objections.

Over the past two years, our Subcommittee on Foreign Operations has worked very closely with the Treasury to change the direction of the multilateral development banks, including the IDB. One of our goals has been to assure that the policies of these institutions reflect the ideals and philosophy of the democratic capitalist nations which provide their funding. My personal view had been that substantial progress was being made in terms of the types of loans being made and in the management of the funds provided by U.S. taxpayers. The actions of IDB management in renewing attempts to channel these funds to Nicaragua are causing me to reconsider this view.

Nicaragua is an avowedly Marxist state. It shares none of our democratic ideals nor does it share our philosophy of free enterprise. Since the Sandinista regime assumed power in 1979, it has moved steadily to destroy the private sector and has achieved a record for oppression of the Nicaraguan people at least equal to the Somoza regime it replaced. There is no justification for making U.S. taxpayer dollars, indeed the tax dollars of any freedom-loving people, available to support the corrupt practices and bankrupt policies of Marxist-Communist regimes.

Quite aside from the economic policies of the Sandinista regime, Mr. Speaker, is its support and instigation of terrorist activities across the borders of its neighbors. Combined with Castro's Cuba and Grenada, Nicaragua forms a dangerous triangle for Soviet adventures in Latin America, a triangle which provides communications

coverage—and a very real military threat—over all gulf coast shipping lanes.

In the near future, the Treasury will complete negotiations for a replenishment of funds for the IDB. The Congress will be asked to review the IDB's activities over the past 4 years and determine if its activities are carrying out the mandate under which we serve. Given the attitude of IDB management as reflected in the pending loan to Nicaragua, I urge my colleagues to turn special attention to this review. As we are joining in a bipartisan spirit to provide additional assistance to our friends and allies in Latin America, we can ill afford to negate these efforts by supporting loans which enable terror and oppression to be spread to those we would help.●

TERRITORIES' DAIRY PRODUCTION THREATENED BY COLLECTION PLAN

HON. RON DE LUGO

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● **Mr. DE LUGO.** Mr. Speaker, when Congress approved the collection of a 50-cent-per-hundredweight fee on the production of milk, backers of the proposal argued that it was reasonable to impose what was in effect a user fee for those milk producers benefiting from the dairy price support system. Unfortunately, like the rain that falls on the just and the unjust alike, this collection plan included our Nation's territories, whose fledgling dairy farmers are now threatened with extinction due to this added burden.

I would like to establish for the record the many distinctions between the dairy market in our insular areas and those of the mainland which will justify my colleagues' approval of my proposal to exempt them from this onerous fee:

One. The U.S. Virgin Islands and the other territories are not part of the mainland market. Milk produced in the territories is not marketed on the mainland and does not contribute to the existing surplus there.

Two. There is an acute shortage of fresh milk in the territories. In my community, the U.S. Virgin Islands, 90 percent of our dairy products are imported. That figure is even higher in Guam, American Samoa, and the Northern Mariana Islands.

Three. Due to the unique geographic location and size of the dairy industry in the territories, we have never nor will we ever participate in the dairy price support system.

Four. Milk produced in the territories must compete with imported dairy products and reconstituted milk made

from components imported from outside of the United States. The price of these other dairy products is significantly lower than that for fresh milk produced locally. For example, reconstituted milk made from foreign components costs \$11.34 per hundredweight, while production costs for natural milk from local farms run over \$20 per hundredweight. The imposition of this additional fee serves as a further disadvantage for our local producers.

Mr. Speaker, I urge my colleagues to relieve the dairy farmer and consumer of the Nation's insular areas from this terrible burden. I ask that the text of my bill to accomplish this objective be printed here for their review.

H.R. 683

A bill to amend the Agricultural Act of 1949 to limit the authority of the Secretary of Agriculture to make deductions from the proceeds of milk marketed commercially by producers in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(d) of the Agricultural Act of 1949 (7 U.S.C. 1446(d)) is amended—

(1) in paragraph (2) by inserting "in the several States, the District of Columbia, and the Commonwealth of Puerto Rico" after "marketed commercially by producers", and

(2) in paragraph (3)(A) by inserting "in the several States, the District of Columbia, and the Commonwealth of Puerto Rico" after "marketed commercially by producers".

Sec. 2. The amendments made by the first section of this Act shall take effect on October 1, 1982.●

THE WEST GERMAN ELECTIONS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● **Mr. WINN.** Mr. Speaker, on March 6, 1983, the Federal Republic of Germany will go to the polls to elect the West German Parliament. The results of this election will decide who will serve as the German Federal Chancellor. The incumbent Chancellor is Helmut Kohl who has held this position since October 1, 1982, succeeding Helmut Schmidt. Chancellor Kohl, who is the head of the Christian Democratic Union Party, governs in coalition with the Christian Social Union Party and the Free Democratic Party. Kohl is being challenged by the leader of the opposition, Hans-Jochen Vogel of the Social Democratic Party.

Because of the importance of West Germany to the United States and NATO, there has been avid interest in this country in the German elections. However, the West German electoral process is complex, different from our own, and possibly not readily understood by Americans. Therefore, as the ranking Republican of the Europe and

Middle East Subcommittee of the House Foreign Affairs Committee, I thought it would be useful for my colleagues to have access to an explanation of this process published by the German Information Center. This excellent summary follows:

WHY ARE ELECTIONS NOW BEING HELD IN WEST GERMANY?

The Bundestag, the West German parliament, was last elected on October 5, 1980. As in the United States, elections are held in Germany every four years. Following the last election, the Social Democrats (SPD) and the Free Democrats (FDP) decided to continue for another four years their governing coalition that had been in effect since 1969. The combined parliamentary votes of these two parties resulted in the election of Helmut Schmidt as Federal Chancellor.

For political reasons, this coalition broke up in the course of the year 1982. Under the leadership of the Chairman of the FDP, Foreign Minister Hans-Dietrich Genscher, the majority of the FDP deputies decided to form a new coalition with the Christian Democratic Union (CDU) and Christian Social Union (CSU), which had been in opposition since 1969.

In a "constructive vote of no-confidence" based in Article 67 of the Basic Law (constitution), on October 1 the Bundestag elected Helmut Kohl (CDU) to be the new Chancellor. After more than eight years, Helmut Schmidt's term of office as Chancellor was over, and since October the SPD has been the opposition party.

The new government has a secure majority in the parliament, and in compliance with the constitution could have governed until the end of the present legislative period in the fall of 1984. However, the government decided against doing so. Like the opposition, it desired the vote of the electorate on this abrupt and unprecedented change of government.

THE ELECTORAL SYSTEM

The Federal Electoral Law provides for elections on the basis of both proportional representation and personal election of candidates, a mixed system in which—

Half of the members are elected by direct vote in 248 constituencies (i.e., on a first-past-the-post basis) and

The other 248 members are elected from lists of candidates (proportional representation) put up by the parties in the Laender (states).

Under this system, each eligible voter has two separate votes. The first vote is cast for one of the candidates within the voter's constituency. The second vote is cast for one of the party lists within the particular federal state in which the voter resides.

The candidate who polls the greatest number of votes in a constituency is the winner there.

The second vote is cast for one of the lists put up by the parties within each federal state with the exception of West Berlin. The sequence of candidates on the lists is predetermined by the parties and cannot be changed by the voter.

The Federal Electoral Committee establishes the number of seats each party is to receive on the basis of the second votes. The second votes are therefore decisive for the outcome of the election.

The Bundestag seats are distributed among the parties in proportion to the total number of second votes polled by them in

the entire electoral area. Only those parties can be considered that have polled at least five percent of the second votes nationwide or that have won at least three constituency seats.

This "five percent clause" was designed to prevent a recurrence of the splintering of the parliament into numerous parties, a situation that drastically weakened the Weimar Republic. Along with the mood of the electorate, this clause has undoubtedly contributed to the predominance of merely four major parties in the Federal Republic of Germany.

In addition to the elected members of parliament, 22 representatives from West Berlin are delegated by the city's parliament. Because of the reservation rights of the Allies, these members cannot vote on legislative issues or in the election of the Federal Chancellor.

FORMING THE NEW GOVERNMENT

After election results have determined the number of Bundestag seats won by each party, the Federal President consults with the party leaders and proposes a candidate for Federal Chancellor to be elected by the Bundestag. In making his proposal, the Federal President takes into account the voting strength in the Bundestag.

To win, the candidate for Chancellor must poll more than half of the Bundestag's votes. If he does not, the Bundestag must, within fourteen days, on its second ballot choose a majority candidate nominated by its own members. The winner is automatically appointed to office by the President.

If the Bundestag does not agree on a majority candidate, it must at once elect a candidate by plurality.

In the event that this candidate obtains the votes of the majority of the members of the Bundestag, the Federal President must appoint him within seven days of the election. But if the candidate obtains merely a plurality of votes, the Federal President can within seven days either appoint him or dissolve the Bundestag for new nationwide elections to be held within 60 days.

Once the Chancellor is elected, he nominates the Federal Ministers (usually from among the members of the Bundestag) to be formally appointed by the Federal President. The Federal Chancellor, together with the Federal Ministers, comprise the Federal Government, which is often simply called the Cabinet.

WHICH PARTIES ARE RUNNING?

At present, the Bundestag is made up of four parties, all of which are running in the March 6 election:

- The Christian Democratic Union (CDU);
- The Christian Social Union (CSU), the Bavarian faction of the CDU;
- The Free Democratic Party (FDP);
- The Social Democratic Party of Germany (SPD).

The three parties first mentioned have made up the ruling coalition since October 1982; the SPD has been in the opposition since then.

In addition to these parties, candidates from 14 other parties are running in the election, among them

- The Greens, an ecological-pacifist party;
- The German Communist Party (DKP);
- The National Democratic Party of Germany (NPD).

The Greens are the only one of these parties that has a serious chance of achieving at least five percent of the vote and of reaching the Bundestag. In the 1980 federal election, the Communists and the National

Democratic Party each achieved 0.2 percent of the vote, and other minority parties tallied up even less.

PARTY PLATFORMS

The Christian Democratic Union (CDU) and Christian Social Union (CSU) are running with a joint platform calling for sacrifice by all sectors of the population for the solution of economic problems, particularly for lowering unemployment.

They favor some tax cuts starting in 1984 as a measure toward providing relief for small business and facilitating capital formation by employees. Tax subsidies for business should be reduced and the abuse of tax relief impeded.

On questions of foreign policy and security, the CDU and CSU affirm their commitment to the Atlantic Community, detente, and the NATO Two-Track Decision. Their goal is to bring about a dismantling of Russian nuclear missiles aimed at Europe.

The main emphasis of the Social Democratic Party (SPD) is on combatting unemployment, on environmental protection, and on promoting disarmament, particularly with regard to medium-range nuclear missiles in Europe.

The SPD calls for an "international employment agreement" by the large industrialized countries for the purpose of stimulating the economy. All sectors of the German economy are urged to join forces to combat unemployment. The SPD favors shortening the work week and lowering the retirement age.

The Geneva Disarmament Negotiations between the United States and the Soviet Union should be conducted with the goal of bringing about the dismantling of Soviet missiles. The Social Democrats would do everything within their power to obviate the stationing of new U.S. medium-range nuclear missiles in Europe. They would review the status of the NATO Two-Track Decision in the fall of 1983. The eventual goal is a Europe free of nuclear weapons.

The Free Democrats (FDP) also view the fight against unemployment as a top priority, and want to encourage private investment, consolidate public finances, and insure the funding of pension, health care and unemployment benefits.

On matters of national security, the FDP supports the zero solution to the Geneva negotiations on medium-range nuclear missiles. The party will reconvene in the future to decide whether the stationing of additional nuclear missiles in West Germany is called for.

The Free Democrats want the designated stationing sites of the nuclear missiles made public and the communities involved consulted.

The Greens are the political surprise of Germany within recent years. They are now represented in six of the eleven state parliaments, and have good prospects of reaching the Bundestag on March 6.

The Greens are striving for a new economic order that will do better justice to the basic needs of people both "here and in the Third World." They support shortening the work week to 35 hours in order that available jobs be distributed among a greater number of employees.

They support diverting investment into the ecological and social spheres. Their long-term goals include the elimination of private ownership of property, natural resources, the means of production, and banks which should be transformed into new social structures of ownership.

The Greens accord special importance to environmental protection, and they favor abandonment of nuclear energy.

The Greens oppose the stationing of nuclear weapons in West Germany.●

JIM WRIGHT SPEAKER OF THE YEAR

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● MR. WRIGHT. Mr. Speaker, on Friday, February 25, the distinguished majority leader of the House of Representatives will be presented the prestigious Speaker of the Year Award from the Capitol Hill Toastmasters Club.

As a former member of the Capitol Hill Toastmasters, I can attest to the importance of this special, seldom-proffered honor.

You yourself were the first and only other recipient of the award. In your acceptance speech, you said that in your opinion there were only two orators in the House—JOHN ANDERSON and JIM WRIGHT.

It is fitting, therefore, that the Speaker of the Year Award should go to JIM WRIGHT, who is recognized by Members of both sides of the aisle to be the finest speaker in the House.

Very few Members, today, have the verbal skills to cut through the near-constant drone that arises from the floor. Not so JIM WRIGHT. When he arises to speak on a major issue, the undercurrent of conversation stops. Even his opponents, who disagree with what he is saying, cease their asides and listen attentively because of the polish and aplomb with which he speaks.

He is an artist who often brings despair to the ears of his opponents. He uses the techniques of all great orators. He quotes from the classics; he uses effective alliteration; he uses words that are colorful and imaginative.

JIM WRIGHT is the master of the gesture, who with the slanting of a beaming brow can dredge up from his audience the desired response. When JIM WRIGHT speaks, he creates a cavalcade of oratorical excellence.

Mr. Speaker, I am pleased to be able to announce to my colleagues that the majority leader is the most worthy recipient of the Capitol Hill Toastmasters Speaker of the Year Award.●

ESTONIAN INDEPENDENCE DAY

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. RITTER. Mr. Speaker, I am honored to join with many of my colleagues and with Estonians around the world in commemorating the 65th anniversary of Estonian Independence Day.

The fate of Estonia is as sad as that of its Baltic neighbors, Lithuania and Latvia. As a result of the Hitler-Stalin pact, Russian forces invaded the Baltic countries, in 1940, and forced them to be annexed into the Soviet Union. This annexation was soon followed by massive arrests, deportations, and deaths as the Soviets committed what was later to become known as the Baltic genocide. In June of 1941 60,000 Estonians, more than 5 percent of the entire population, were either killed or sent to Soviet concentration camps. Even after World War II ended, the terror continued as the Soviets collectivized the land displacing 80,000 farmers. Between 1939 and 1949 350,000 people or one-third of the population was lost. Of the 350,000 many died in Russian labor camps and many more died in defense of their homeland.

Over the past four decades, the Soviets have employed virtually every method known to destroy Lithuanian culture and heritage. Rural life has been uprooted, the practice of Estonian language and culture forbidden and human rights activists either imprisoned or deported. In more recent years, the Soviets have taken young Estonians from their homeland and forced them into labor camps in the farflung parts of the Soviet Empire in an effort to destroy their will. However, despite the repression and forced attempts at Sovietization, Estonian culture still survives.

The Lehigh Valley of Pennsylvania, the area I am proud to represent in Congress, is the home for many families who trace their heritage to Estonia. Fleeing Soviet domination, many Estonians came here with only the clothes on their back and made a new life for themselves and children. Their many contributions have helped strengthen our community and make it a better place in which to live.

We in Congress have an important role in supporting the cause of Lithuanian freedom and, for that matter, freedom for all oppressed peoples. As the cochairman of the Adhoc Committee on the Baltic States and Ukraine, I am proud to rise with my colleagues in support of Lithuanian Independence Day and pray for the time when Estonia will once again to take its rightful

place among the free nations of the world.●

NATURAL GAS CONTRACTING PROBLEM

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. HERTEL of Michigan. Mr. Speaker, Wednesday the Federal Energy Regulatory Commission approved more than \$500 million in annual natural gas price increases for Midwestern States to purchase high-priced Algerian liquefied natural gas. This gas is triple the current average of U.S. prices. Ironically the Commission acknowledged that these prices are distorted and should be reduced, but neatly avoided how to force price reductions. This ruling is an obvious attempt by a natural-gas-producer-biased Commission to trigger a pricing crisis in this resource and accelerate decontrol of all natural gas. This is a direct affront to the depression-ravaged residents of the Midwest who are faced with natural gas rate increases of more than 25 percent. Record unemployment will be further aggravated by record home-heating bills.

In my home State of Michigan, the natural gas distributing utility has a 20-percent uncollectable rate for its residential users. The State of Michigan has a program to help the needy pay their heating bills. Michigan is spending \$300 million in 1982-83. Next year it is estimated at \$350 million, not counting this increase. By the 1990's more than \$1 billion will be spent if this trend is not reversed.

Today I am proposing two pieces of legislation which address these natural gas contracting problems. The first freezes the pricing mechanisms of the Natural Gas Policy Act in relation to any natural gas contract at the price applicable as of January 1, 1983, unless those contracts are renegotiated to the satisfaction of purchasing parties and those contracts contain escape clauses called market out provisions. Upon renegotiation the course of the NGPA is once again set in motion. The second bill, a comprehensive package of much-needed tools to aid the renegotiation of these contracts and force downward pressure on the price of natural gas. This bill prohibits take or pay clauses or similar minimum purchase requirements under natural gas supply contracts, prohibits indefinite price escalator clauses, grants specific authority to FERC to prohibit pass through of natural gas prices or take other corrective action if the prices paid by natural gas companies are excessive to waste or imprudence.

The natural gas contracts problem is an extremely complex topic which requires a brief understanding of the history of Federal natural gas regulation.

The Natural Gas Policy Act is a law which has been mislabeled regulatory legislation. It is actually incentive or promotional legislation to encourage production of new reserves of natural gas. In contrast, the Natural Gas Act of 1936, which created the Federal Power Commission, would be considered classical regulatory legislation. The rates set for natural gas prices were based on the cost of production plus a just and reasonable profit. This rate model is a theoretical approximation of pricing theory in a truly competitive market. There were numerous problems with the administration of the act of 1936. These problems were illustrated in the congressional hearings on the Natural Gas Policy Act. In addition, the gas shortages of the mid-1970's highlighted the regulatory shortcomings of that act.

What, then, was the pricing mechanism upon which the Natural Gas Policy Act was based? Pricing is designed to encourage exploration and production of new reserves as well as tying the market price to a comparable fuel of similar heating capability. For the purpose of the act, the index fuel is sometimes No. 2 and sometimes No. 6 heating oil. To minimize the impact of a change to a producer-incentive price from a regulated price based on ideal free market conditions, complex formulas of wellhead pricing provisions were established for eight types of natural gas production. These formulas included escalator and inflation factors designed to smoothly bring the price of natural gas up to that of index fuel oil over an 8-year period.

As originally contemplated by the Natural Gas Policy Act, the projected price of heating oil was estimated at \$15 a barrel in 1985. This is where the producer incentive pricing system broke down. The price of oil has been in the effective control of foreign-dominated cartels since the early 1970's. The pricing policies of this cartel are not based upon either the cost of production plus a fair and reasonable return or a producer-incentive price. Cartel pricing is based upon controlling production and supply to extract maximum premiums. When revolution devastated Iran and terminated oil and gas production, the price of oil doubled and now currently hovers around \$35 a barrel. The pricing formulas of the Natural Gas Policy Act followed the inflationary curve of oil, skyrocketing upward.

Fundamentally, there is absolutely nothing to force any downward pressure on natural gas prices. There are also contracting provisions between gas producers and pipelines, and pipe-

lines and utilities which strongly reinforce the upward pricing spiral. This effect is the so-called price spike. The general concerns of advocates and adversaries of natural gas decontrol is that there will be further spike effects ranging between 60 percent to 100 percent should decontrol occur.

As stated above, these price spikes take place because Congress in passing the Natural Gas Policy Act, did not take into account possible disruptions in world energy prices, nor did Congress provide any mechanism to give downward pricing pressure. In the arcane world of natural gas regulation, there are certain identifiable factors which support the price spiral. Among these factors are escalator clauses, favored nations or field price clauses, and take or pay provisions. These devices appear uniformly in contracts between producers and pipelines and also between pipelines and utilities. Utilities then secure price adjustment allowances from State utility regulatory commissions. The effect this complex web of contracting provisions is to pass the price of the highest cost gas from producer to consumer in the fastest possible manner. That is why gas prices go up constantly.

Without entering the fray of decontrol versus contained control of natural gas, there are concrete proposals which the Congress can act upon to greatly slow the rapid increases in natural gas prices. I am proposing to suspend all escalator, favored nation, or field price clauses in natural gas sale or purchase contracts. Furthermore, it would address take-or-pay provisions by prohibiting minimum energy purchase requirements unless such requirements are absolutely essential to make a specific supply of energy economically feasible. Such requirements are to continue only so long as it is necessary to amortize that specific supply of energy.

These two measures are essential because these contracting provisions make natural gas supply contracts enforceable only for volume. Purchasers have no control, more certainty of price under currently existing market contract conditions. Pipelines, utilities, and ultimate users must ransom any certainty of price for certainty of volume. There is no incentive to reduce gas prices. The first two consumer energy relief acts seek to provide that incentive.

The text of the measures are as follows:

H.R. 1686

A bill to amend the Natural Gas Policy Act of 1978 to freeze the price under any natural gas contract at the price applicable as of January 1, 1983, to exempt from such freeze any contract having a market-out clause if the contract was entered into after the effective date of this Act and any contract entered into on or before such date which is renegotiated as to price after such date and which has a market-out clause

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the Natural Gas Policy Act of 1978 is amended by inserting after section 110 the following new section:

"SEC. 111. CEILING PRICE FOR NATURAL GAS SOLD UNDER CERTAIN CONTRACTS.

"(a) APPLICATION.—The maximum lawful price computed under subsection (b) shall apply to any first sale of natural gas for any month beginning after the effective date of this section if such natural gas is sold under any contract with—

"(1) was entered into on or before the effective date of this section if such contract (A) is not renegotiated as to price on or after such date or (B) does not contain a market-out clause; and

"(2) was entered into after such effective date if such contract does not contain a market-out clause.

"(b) MAXIMUM LAWFUL PRICE.—The maximum lawful price, per million Btu's, under this section for any month shall be—

"(1) in the case of any contract entered into on or before such effective date, the price applicable under the contract for deliveries on January 1, 1983; and

"(2) in the case of any contract entered into after such effective date, the maximum lawful price determined by the Commission to be applicable under this subtitle for deliveries of the category of natural gas involved which occurred on January 1, 1983, or in the case of high-cost natural gas described in section 107(c)(1), (2), (3), or (4) the maximum lawful price under this subtitle which would have been applicable if the such natural gas were not decontrolled under section 121(b).

"(c) MARKET-OUT CLAUSE.—For purposes of this section, the term 'market-out clause' means the following contract provisions (or contract provisions having substantially the same effect):

"(1) GENERAL RULE.—The purchaser may, without obligation to pay, exercise a right not to accept delivery of any portion of the volumes of natural gas the purchaser has contracted to accept if the purchaser has determined he cannot market the total volume of natural gas contracted for.

"(2) AMOUNT OF REDUCTION.—A purchaser may not reduce, pursuant to these contract provisions, the volume the purchaser accepts delivery of below a level equal to 50 per centum of the volume the purchaser contracted to take delivery of under the contract (without regard to any previous reduction under these contract provisions).

"(3) HIGHEST PRICE GAS REDUCED FIRST.—Except as provided in paragraph (4), the purchaser may not reduce under these contract provisions the volume he accepts delivery of if he had not exercised his right under these provisions to reduce (to the maximum extent permitted under paragraph (2)) deliveries of natural gas he has contracted to take delivery of at a higher price under any other contract.

"(4) AFFILIATED PRODUCERS.—The purchaser may not reduce under these contract provisions the volume he has contracted to take delivery of if he has not exercised his right under these provisions to reduce (to the maximum extent permitted under paragraph (2)) deliveries of natural gas he has contracted to take at the same or a higher price under any other contract between the purchaser and any other person who is an affiliate of the purchaser.

"(5) CONTRACTED TO TAKE DEFINED.—For purposes of these contract provisions, the term 'contracted to take' refers to the volume of natural gas for which the purchaser has contracted to take delivery under a contract (whether or not the purchaser is obligated under the contract to pay for any lesser volume in the event delivery is not taken).

"(6) EFFECT OF TAKE-OR-PAY AND MINIMUM-BILL CLAUSES.—Any provision of any contract shall not apply to the extent it requires a purchaser to pay any fee or other charge with respect to any natural gas for which delivery is not taken pursuant to these contract provisions.

"(7) LIMITATION ON CONTRACTING FOR NEW SUPPLIES.—Any purchaser who has exercised his right under these contract provisions to reduce the volumes of natural gas he is obligated to take shall not accept delivery during the period of such reduction of any other volumes of natural gas at a price that is equal to or higher than the price of the natural gas involved in the reduction if such delivery is under any contract entered into or renegotiated after the date of the exercise of such right.

"(8) CONTRACTS COVERING MORE THAN ONE CATEGORY OF NATURAL GAS.—Any contract establishing two or more categories of natural gas for purposes of pricing the natural gas delivered under the contract shall be treated as separate contracts for each such category.

"(d) BAR AGAINST NONPRICE DISCRIMINATION.—Nothing in this section shall be construed as allowing any pipeline to discriminate against any one or class of producers or other sellers of natural gas on any basis other than the price of natural gas.

"(e) COMMISSION TO CONSIDER USE OR NONUSE OF CONTRACT CLAUSE IN CERTAIN PROCEEDINGS.—Notwithstanding section 601(c) or any other provision of this Act or the Natural Gas Act, the Commission shall take into account the use of or failure to use the contract provisions available by this section by any pipeline under the jurisdiction of the Commission as an element of—

"(1) any purchase gas adjustment proceeding under the Natural Gas Act involving that pipeline; and

"(2) any general rate proceeding under section 4 or 5 of the Natural Gas Act involving that pipeline."

(b) Section 121 of such Act is amended by adding at the end thereof the following new subsection:

"(f) SECTION NOT TO AFFECT CONTROLS UNDER SECTION 111.—Notwithstanding any other provision of this section, this section shall not affect the applicability of section 111."

(c) The table of contents for such Act is amended by adding after the item relating to section 110 the following new item:

"Sec. 111. Ceiling price for natural gas sold under certain contracts."

SEC. 2. The amendments made by this Act shall take effect on the first day of the first calendar month beginning more than fif-

teen days after the date of the enactment of this Act and shall apply in the case of any contract, whether entered into before, on, or after such date.

H.R. 1685

A bill to amend the Natural Gas Policy Act of 1978 to prohibit take-or-pay clauses or similar minimum purchase requirements under natural gas supply contracts, prohibit indefinite price escalator clauses, and to allow the Federal Energy Regulatory Commission to prohibit passthrough of natural gas prices, or take other corrective action, if the prices paid by natural gas companies are excessive due to waste or imprudence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PROHIBITION OF INDEFINITE PRICE ESCALATOR CLAUSES

SECTION 1. Section 313 of the Natural Gas Policy Act of 1978 (15 U.S.C. 3373) is amended by redesignating subsections (a) and (b) as subsections (c) and (d), and by inserting before subsection (c) (as redesignated) the following new subsections:

"(a) GENERAL RULE.—Except as provided in subsection (b), any indefinite price escalator clause of any contract which is entered into on or after the date of the enactment of this subsection and which is applicable to the first sale of natural gas or to any subsequent sale of natural gas is hereby declared to be against public policy and unenforceable.

"(b) EXISTING CONTRACTS.—In the case of any indefinite price escalator clause of any contract which is entered into before the date of the enactment of this subsection and which is applicable to the first sale of natural gas or to any subsequent sale of natural gas, such clause shall be against public policy and unenforceable if the purchaser elects to have such clause voided. Such election shall be made at such time and in such manner as the Commission shall by rule prescribe. If such an election has not been made, the provisions of subsections (c) and (d) shall apply."

PROHIBITION OF TAKE-OR-PAY CLAUSES

SEC. 2. (a) The Natural Gas Policy Act of 1978 (15 U.S.C. 3301 and following) is amended by inserting after section 315 the following new section:

"SEC. 316. TAKE-OR-PAY CONTRACT CLAUSES.

"(a) GENERAL RULE.—Except as provided in subsections (b) and (c), any take-or-pay clause of any contract which is entered into on or after the date of the enactment of this section and which is applicable to the first sale of natural gas or to any subsequent sale of natural gas is hereby declared to be against public policy and unenforceable.

"(b) EXISTING CONTRACTS.—In the case of any take-or-pay clause of any contract which is entered into before the date of the enactment of this section and which is applicable to the first sale of natural gas or to any subsequent sale of natural gas, such clause shall be against public policy and unenforceable if the purchaser elects to have such clause voided. Such election shall be made at such time and in such manner as the Commission shall by rule prescribe.

"(c) EXEMPTION FOR CHARGES REQUIRED FOR RECOVERY OF CERTAIN COSTS.—The Commission may, by rule, provide for exemption from the application of subsections (a) and (b) for take-or-pay clauses to the extent that such clauses are necessary for the re-

covery of natural gas acquisition costs of the seller or for the amortization of equipment and facilities used in connection with the delivery of natural gas to the purchaser.

"(d) DEFINITION OF TAKE-OR-PAY CLAUSE.—For purposes of this section, the term 'take-or-pay clause' means any contract provision which requires payment for the minimum quantity of natural gas contracted for under the contract in the event the purchaser fails to take delivery. Such term also includes any other contract clause which the Commission determines has the same effect."

(b) The table of contents for such Act is amended by inserting after the item relating to section 315 the following new item: "Sec. 316. Take-or-pay contract clauses."

AUTHORITY TO PROHIBIT PASSTHROUGH OF EXCESSIVE COSTS DUE TO WASTE OR IMPRUDENCE

SEC. 3. Section 601(c) of the Natural Gas Policy Act of 1978 (15 U.S.C. 3431(c)) is amended by striking out "or similar grounds," and inserting in lieu thereof "waste, imprudence, or similar grounds including action not in the public interest, in which case the Commission shall take appropriate action under sections 4 and 5 of the Natural Gas Act, including but not limited to, the revision, annulment, or mandating of contract terms and provisions."●

HUMAN RIGHTS WORSEN IN U.S.S.R.

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. BONKER. Mr. Speaker, during the January 1983 recess, I joined a congressional delegation tour of Russia and three Eastern bloc countries to review our Government's relations with those nations, particularly concerning East-West trade—including export controls—rights violations, and the status of current disarmament negotiations. The delegation visited Leningrad, Moscow, Budapest, Bucharest, and Belgrade. The trip also included Athens where our delegation met with European parliamentarians on similar issues.

While the U.S. delegation met with a variety of officials and covered a range of subjects, I am limiting this report to human rights issues.

Overall, there is no discernible improvement in the oppressive conditions that exist in Communist countries. As the world becomes more conscious of human rights as a measure of national decency and many countries are working to improve the political conditions as an acceptable form of national behavior, we found little evidence of similar improvements in Russia and her satellite neighbors. If anything, the political climate has worsened in Russia and Romania with small likelihood that there will be any easing of the internal tension that is so obvious in those two countries. We discovered cautious optimism in the other countries as limited freedom is

being experienced, but that may prove illusory depending on a number of factors in what definitely is an uncertain future for the people of these areas.

At least two important developments add to that uncertainty. First, Secretary Yuri Andropov, who has emerged as the undisputed boss at the Kremlin, remains an enigmatic political figure. In Russia, it is obvious that everyone was waiting and watching to see what kind of leadership he will provide. Andropov has moved quickly on a campaign against corruption, which was interpreted as legitimate given the widespread abuses at higher levels, but also a move of weeding out the decaying and possibly hostile elements in high level government and party positions.

The new Kremlin leader is viewed as smart and tough, and capable of providing enlightened leadership compared to the more bureaucratic Leonid Brezhnev, but he is equally adept of using his personal resources as a ruthless and unrelenting advocate of global communism. The consensus is that it is much too early to tell how he will deal with human rights issues at home, or how much latitude will be given to Soviet-dominated countries in Eastern Europe.

The second factor may be beyond Andropov's or anyone's control, for it concerns the economic fate of these countries. Everywhere we visited, it was the state of the economy, particularly the emerging Third World countries and the shaky international financial system that worried people the most. Economic strains were being felt, particularly in Hungary, Romania, and Yugoslavia. The link between economic conditions, public unrest and suppression is an undisputable fact. Poland is an obvious reminder. Leaders with whom we met talked incessantly about their economic problems and urged the United States to be sensitive and provide more help. In my judgment, the human rights picture will not improve under such conditions. As these regimes become more threatened by greater unrest among their populations, who have enjoyed meager but relatively better economic standards, there will undoubtedly be more repressive measures introduced.

U.S.S.R.

In our 4-day visit to Russia, we found no improvement in the human rights situation. If anything, we heard repeated statements about a new crackdown. There was little evidence that immigration quotas, which have declined remarkably in recent years, would improve. Refuseniks were frustrated in their attempts to leave the country. The more celebrated dissidents have all but given up hope for freedom. Religious persecution persists throughout the Soviet Union. We

know of several incidents where intimidation was used against people as the result of our visit. The Embassy staff, well informed and sensitive about individual cases, confirmed our suspicions that if anything, things were much worse in the Soviet Union, and will probably not get better in the foreseeable future.

Jewish immigration has nearly come to a standstill. Since reaching a yearly high of 51,000 in 1979, it has declined precipitously to 10,000 in 1981 and a projected total of under 3,000 this year. In Leningrad, we met one evening in the small flat of a refusenik family and nine others to discuss their plight. The frustration was painfully evident. They have been denied visas and subjected to long delays and uncertainty about their applications to leave the country. Long-term refuseniks have been threatened with arrest if they came in contact with westerners. Those present shared their own experiences, some of whom were professionals who were dismissed from their jobs and forced into temporary menial employment.

Despite the CSCE principle of family reunification, in practice the Soviet authorities have employed various procedural and technical pretexts to delay or deny immigration applications. It is currently estimated that some 50,000 Soviet Jews still are actively seeking to leave Russia. The tales we heard from this small group are being shared by many thousands throughout the country.

Congressman Lantos and others also met with Elena Bonner, wife of Sakharov; Leonard Shcharansky, brother of Anatoly and others in Moscow. They heard the same story. But the Moscow meeting had more ominous overtones because the group included close relatives of prominent dissidents.

Religious persecution remains a serious problem in the U.S.S.R. This discrimination is applied to all religious sects, but notably the Pentecostals. The most publicized and moving example, of course, are the Vashchanks and Chmykholove families living like refugees in the basement of the U.S. Embassy. Every congressional delegation that visits Moscow cannot pass up this display of Russian tyranny, nor can they avoid heartbreak seeing a courageous family endure this crude punishment.

We met with the family and through their spokesperson, Lida Vashchanks, heard about their existence and particular problems, not only with the Soviet outbreaks but the U.S. Government as well.

We did not miss an opportunity to register our concern with Government officials. In our meeting with Vadim Zaglandin, First Deputy Chief of the Central Committees, our delegation pressed hard to have the families released. Representative SAM GIBBONS in

particular demanded that Russia quickly resolve this problem by letting them immigrate.

Their fate is uncertain, but time is running out for the Embassy will be moving to new quarters shortly. President Reagan had made reference to this matter in national speeches, but apparently it is an issue that is not being raised at high official levels in deliberations among the two great powers. This is a source of frustration for the families because they are aware of all the political commotion and publicity about their circumstances, yet there seems to be little action by the U.S. Government. They also had some grievances with the U.S. Embassy which we took up with the appropriate officials there.

One other related matter. Apparently, it is possible the family could be reconciled with family members in West Germany if a request was submitted, but the family in question refuses to make application because of differing doctrinal views on Biblical Scripture. If this is the case, the Department of State should make an effort to clear up the matter if possible.

Two other cases of religious persecution should be mentioned. One concerns Matuey Finkel, who is a Soviet national, but whose wife is an American citizen. This is another example of family reunification—Finkel is not allowed to leave the U.S.S.R. and his wife, Susan Graham, cannot receive a travel visa to see him in Russia. I was to meet with Matuey Finkel at an Embassy reception, but he did not appear. We learned later that Mr. Finkel was visited by two policemen that evening. He was subjected to intimidation and warned not to attend the reception. We learned that it was possibly due to Andropov's son being at the reception.

Finally, I had intended to meet with another person who works with religious groups on human rights matters. The U.S. Embassy cautioned me not to meet her for apparently she was under surveillance and could be arrested at any moment.

HUNGARY

In Budapest, we found a different environment: a slowly emerging market economy with enough freedom for people to appear relaxed, but a government wholly pledged to back Russian foreign policy. Of all the Eastern bloc countries, Hungary appears to have the least restrictions on individual liberties. It retains its European flourish on cultural matters and is experimenting with democratic socialism. We were informed that most of national and local political offices are now contested and the process is increasingly becoming responsive to local needs and concerns. We met with the top leader of the Catholic Church, Cardinal Lékai. While there is relative freedom for the institutionalized

church, smaller evangelical groups experience difficulty in a variety of ways—required permits to emigrate, churches being bulldozed to make way for other buildings, and so forth.

We did raise the case of Sander Zoboki at the meetings with top officials. Young Zoboki, age 12, is the son of Lt. Sander Zoboki, Sr., formerly of the Hungarian Air Force, who in 1970, flew a fighter jet from Hungary to Odino, Italy and requested and received political asylum from the United States. He has been in the United States since, and now wants his son to join him. Young Zoboki's mother died several years ago and is under custody of his elderly grandmother. Until now, Hungarian authorities forbid a passport so the father and son can unite. We got a formidable response from the officials, including the Prime Minister, that the case was under review and were left with the impression that the young boy will be allowed to depart shortly.

YUGOSLAVIA

Yugoslavia is not unlike Hungary with respect to human rights. The country is not without its problems given the multiple areas ethnic groups that comprise the present state. Marshal Tito, a much celebrated leader 3 years after his death, successfully guided Yugoslavia toward an independent foreign policy and relaxation of tensions at home as he championed the course of the nonaligned states in the 1960's and 1970's. There is no single political figure capable of united support and the personal charisma that Tito enjoyed, so it is a collective effort, similar to a board of directors with the chairmanship routinely passed around to everyone who sits on the board.

There are no noticeable human rights problems that we knew of so none were raised with the many officials with whom we met. The exception was a meeting Representative and Annette Lantos and I had with Michael Djelas. A former compatriot of Tito's in the early years, Djelas fell out of favor because of his criticism, among other things, of the extravagant lifestyle of Communist leaders. This landed him in jail for a period of time and he is now persona non grata. He is denied a passport to leave the country and his son, now living in England and an occasional critic of the regime, is not allowed in the country. Mr. Djelas is a distinguished author whose books are not allowed to be published or distributed in the United States. His only request was that we ask the authorities to allow distribution of his nonpolitical works in the country.

ROMANIA

Romania, our last stop, is in a special category. While it retains a somewhat independent line of foreign policy mat-

ters, much to the consternation of the Kremlin leaders, it is undeniably the most repressive of the Eastern bloc countries and its leader, Nicolae Ceausescu, is a virtual dictator.

The delegation made two attempted landings in Bucharest, but poor weather conditions aborted our scheduled stop there.

The following week, Chairman LANTOS, Representative BILL FRENZEL, and I flew back to Bucharest to meet with Mr. Ceausescu and his top aides. Our 2-hour session with the Romanian President proved very disappointing. Representative FRENZEL questioned Romania's new law to impose an educational tax on emigrants. The issue is being linked by the administration to the extension of nondiscriminatory (MFN) treatment to imported products from Romania under the waiver provision in title IV of the Trade Act of 1974. Section 402 of the act prohibits the granting of MFN treatment if that country does not allow its citizens the freedom to emigrate.

Since 1976, the President, supported by the Congress, has moved the emigration requirements of section 402 because of its policy on Jewish emigrations, family reunification, and more recently the emigration of ethnic Germans has been satisfactory. There have been recent concerns about overall quotas—Romanian Jewish emigration to Israel has dropped from a high of 4,000 in 1973 to 1981 level of 1,012. Resolutions have been introduced to disapprove the extension of the waiver authority. Concerned about the massive "brain drain" from his country, Mr. Ceausescu wants further emigrants to pay hard currency for the full costs of their education—a sum that has been estimated to be \$10,000 to \$12,000. In addition, the property of emigrants would be confiscated.

Our visit followed Under Secretary of State Lawrence Eagleburger's meeting in Bucharest with Ceausescu. The Romanian leader informed us that he has no intention of repealing the new law, insisted that it was fair and equitable given the Government's cost of educating its citizens, expressed anger that the United States had no right to meddle in his country's internal affairs, and apparently he is willing to risk discontinuance of MFN treatment if the United States carries out its policy threat.

I raised the problem of religious persecution as a human rights problem, explaining that a number of religious organizations, human rights groups and individual Congressmen have expressed concern about repressive measures addressed at certain denominations. He denied the charges, pointed out that the institutionalized church is even subsidized by the state and referred to religious cults, some of whose leaders may have been arrested but only because they broke the laws.

Later I met with top aides to discuss individual cases, including Pastor Troian Dorg, who is in need of medical attention as he languishes in jail for possession of contraband of religious literature. Time did not permit us to raise the question of the more than 2 million ethnic Hungarians who live in that part of Romania known as Transylvania. They are the victims of earlier decisions to redraw European boundaries and now their cultural and ethnic identity are being threatened by a systematic, if not brutal, attempt by Romanian authorities to assimilate this large and reluctant population.

Repression is a way of life in Romania and the future looks even bleaker as economic conditions worsen and which will undoubtedly result in greater hardship. Credit should be given to Ceausescu for his independence on foreign policy matters, but the repression so readily apparent within the country does not justify our continued policy of extending favorable trade benefits to Romania. ●

ALCOHOL AND DRUG ABUSE AMENDMENTS OF 1983

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 25, 1983

● Mr. WAXMAN. Mr. Speaker, I am pleased to announce the introduction of H.R. 1696, the "Alcohol and Drug Abuse Amendments of 1983." The legislation extends through fiscal year 1984 the authorization of appropriations for the research activities of the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and the National Institute on Drug Abuse (NIDA). NIAAA and NIDA are agencies of the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA).

Funding is authorized in accordance with the following table.

	Fiscal year 1983 appropriation	Fiscal year authorization
Research:		
NIAAA	\$33,484,000	\$45,790,000
NIDA	47,374,000	56,160,000

Although the authorizations are not as high as I would like, nor as high as could be productively used by the institutes, they provide for a significant and long overdue increase in alcohol and drug abuse research capacity. The budget will permit the funding of 58 new research grants in fiscal year 1984 and continued emphasis upon alcohol and drug abuse prevention and education activities targeted to high risk populations.

Only recently have we come to appreciate the enormous human toll caused by addictive disorders. The

impact of alcoholism, drug addiction and alcohol and drug abuse are staggering. They contribute to higher health care costs and decrease the productivity of our workforce.

The research activities of NIAAA and NIDA represent the Federal Government's commitment to better understand these disorders. Through the efforts of these agencies improvement in prevention and the development of more successful forms of treatment will be possible.

In addition, H.R. 1696 provides for:

Technical revision of the statutory authority for ADAMHA consistent with the agency's status as an independent agency of the Public Health Service.

Consolidation of alcohol and drug abuse congressional reporting requirements.

Increased emphasis upon support of prevention research through establishment within ADAMHA of a new position of Assistant Administrator for Prevention. The Assistant Administrator is charged with promotion and coordination of prevention research sponsored by NIAAA, NIDA, and the National Institute of Mental Health, and with preparation of an annual report to Congress describing these activities.

Systematic peer review of intramural research.

Establishment of a system for the investigation of reports of scientific misconduct.

Preparation of a report by the Secretary of the Department of Health and Human Services on the effectiveness of the alcohol, drug abuse, and mental health services block grant.

Dissemination of publications on current research findings respecting alcohol and drug abuse.

Mr. Speaker, H.R. 1696 is a noncontroversial bill and reflects provisions passed by the House at the end of the 97th Congress as a result of successful negotiations with the Senate on H.R. 6458 and a Senate amendment reflecting the provisions of S. 2365. Although the differences between our bills were resolved, the 97th Congress adjourned prior to the Senate completing action on the legislation.

I hope consideration of this legislation can be expedited in both the House and Senate early this year. An identical bill, S. 126, has been introduced in the Senate by Senators HUMPHREY and HATCH and it is my understanding that the Senate Labor and Human Resources Committee will consider the legislation at its earliest opportunity.

H.R. 1696

A bill to amend the Public Health Service Act and related laws to consolidate the laws relating to the Alcohol, Drug Abuse, and Mental Health Administration, the National Institute of Mental Health, the National Institute of Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE; STATEMENT OF POLICY

SECTION 1. (a) This Act may be cited as the "Alcohol and Drug Abuse Amendments of 1983".

(b) It is the policy of the United States and the purpose of this Act to provide leadership in the national effort to reduce the incidence of alcoholism and alcohol-related problems and drug abuse through—

(1) a continued Federal commitment to research into the behavioral and biomedical etiology, the treatment, and the mental and physical health and social and economic consequences of alcohol abuse and alcoholism and drug abuse;

(2) a commitment to—

(A) extensive dissemination to States, units of local government, community organizations, and private groups of the most recent information and research findings with respect to alcohol abuse and alcoholism and drug abuse, including information with respect to the application of research findings; and

(B) the accomplishment of such dissemination through up-to-date publications, demonstrations, educational programs, and other appropriate means;

(3) the provision of technical assistance to research personnel, services personnel, and prevention personnel in the field of alcohol abuse and alcoholism and drug abuse;

(4) the development and encouragement of prevention programs designed to combat the spread of alcoholism, alcohol abuse, drug abuse, and the abuse of other legal and illegal substances;

(5) the development and encouragement of effective occupational prevention and treatment programs within Government and in cooperation with the private sector; and

(6) the provisions of a Federal response to alcohol abuse and alcoholism and drug abuse which encourages the greatest participation by the private sector, both financially and otherwise, and concentrates on carrying out functions relating to alcohol abuse and alcoholism and drug abuse which are truly national in scope.

THE ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION AND THE NATIONAL INSTITUTE OF MENTAL HEALTH, THE NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM, AND THE NATIONAL INSTITUTE ON DRUG ABUSE

SEC. 2. (a)(1) Title V of the Public Health Service Act is transferred to the end of the Public Health Service Act and redesignated as title XXI and sections 501 through 515 are redesignated as sections 2101 through 2115, respectively.

Sections 217(c), 217(d), and 384 of the Public Health Service Act (42 U.S.C. 218 and 278) are each amended by striking out "501" and inserting in lieu thereof "2101".

(b)(1) The Public Health Service Act is amended by inserting after title IV a new title designated as follows:

"TITLE ADMINISTRATION AND COORDINATION OF THE NATIONAL INSTITUTE OF MENTAL HEALTH, THE NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM, AND THE NATIONAL INSTITUTE ON DRUG ABUSE"

"PART A—ADMINISTRATION AND INSTITUTES".

(2) Section 201 of the Act of May 14, 1974 (42 U.S.C. 3511) is transferred to title V of the Public Health Service Act established by paragraph (1), redesignated as section 501, and amended—

(A) by striking out "of Health, Education, and Welfare" each place it occurs;

(B) in subsection (c), by striking out "of the Public Health Service Act";

(C) by amending subsection (d) to read as follows:

"(d) To educate the public with respect to the health hazards of alcoholism, alcohol abuse and drug abuse, the Administrator shall take such actions as may be necessary to ensure the widespread dissemination of current publications of the National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse relating to the most recent research findings with respect to such health hazards.";

(D) by adding at the end the following:

"(e)(1) There shall be in the Administration an Associate Administrator for Prevention to whom the Administrator shall delegate the function of promoting the prevention research programs of the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse and coordinating such programs between the Institutes and between the Institutes and other public and private entities.

"(2) On or before January 1, 1984, and annually thereafter, the Administrator, acting through the Associate Administrator for Prevention, shall submit to the Congress a report describing the prevention activities (including preventive medicine and health promotion) undertaken by the Administration, the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse. The report shall include a detailed statement of the expenditures made for the activities reported on and the personnel used in connection with such activities.

"(f) The Administrator shall establish a process for the prompt and appropriate response to information provided the Administrator respecting (1) scientific fraud in connection with projects for which funds have been made available under this Act, and (2) incidences of violations of the rights of human subjects of research for which funds have been made available under this title. The process shall include procedures for the receiving of reports of such information from recipients of funds under this title and taking appropriate action with respect to such fraud and violations."

(3) Section 101 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is transferred to title V of the Public Health Service Act, inserted after the section 501 inserted by paragraph (2), redesignated as section 502, and amended—

(A) in subsection (a)—

(i) by striking out "this Act" the first time it occurs and inserting in lieu thereof "this section";

(ii) by striking out "assigned to the Secretary of Health and Human Services (hereafter in this Act referred to as the 'Secretary'" and inserting in lieu thereof "relating to alcohol abuse and alcoholism assigned to the Secretary"; and

(iii) by striking out "of the Public Health Service Act", and

(B) by amending the section heading to read as follows:

"NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM".

(4) Section 501 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act is transferred to title V of the Public Health Service Act, inserted after the section 502 inserted by paragraph (3), redesignated as section 503, and amended—

(A) in subsection (a)—

(i) by inserting "SEC. 503." before "(a)";

(ii) by striking out "this title" and inserting in lieu thereof "this section";

(iii) by striking out "of the Secretary of Health and Human Services (hereinafter in this title referred to as the 'Secretary') with respect to drug abuse prevention functions" and inserting in lieu thereof "relating to drug abuse assigned to the Secretary by this Act"; and

(iv) by striking out "of the Public Health Service Act";

(B) by striking out "(hereinafter in this title referred to as the 'Director'))" in subsection (b)(1), and

(C) by striking out the section heading

"§ 501. Establishment of Institute."

and inserting in lieu thereof the following:

"NATIONAL INSTITUTE ON DRUG ABUSE".

(5) Subsection (a) of section 406 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act is transferred to section 503 (as so redesignated), inserted after subsection (d), and redesignated as subsection (e).

(6) Section 455 of the Public Health Service Act is inserted in title V of the Public Health Service Act after the section 503 inserted by paragraph (4) of this subsection and redesignated as section 504.

(7) The following sections are inserted in title V of the Public Health Service Act after the section 504 inserted by paragraph (6):

"REPORTS ON ALCOHOLISM, ALCOHOL ABUSE, AND DRUG ABUSE

"SEC. 505. (a) The Secretary shall submit to Congress on or before January 15, 1984, and every three years thereafter a report—

"(1) containing current information on the health consequences of using alcoholic beverages.

"(2) containing a description of current research findings made with respect to alcohol abuse and alcoholism, and

"(3) containing such recommendations for legislation and administrative action as the Secretary may deem appropriate.

"(b) The Secretary shall submit to Congress on or before January 15, 1984, and every three years thereafter a report—

"(1) describing the health consequences and extent of drug abuse in the United States;

"(2) describing current research findings made with respect to drug abuse, including current findings on the health effects of marijuana and the addictive property of tobacco; and

"(3) containing such recommendations for legislation and administrative action as the Secretary may deem appropriate.

"PEER REVIEW

"SEC. 506. (a) The Secretary, after consultation with the Directors of the National Institute of Mental Health, the National Insti-

tute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse shall by regulation require appropriate technical and scientific peer review of biomedical and behavioral research and development grants, cooperative agreements, and contracts to be administered through the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse.

"(b) Regulations promulgated under subsection (a) shall require that the review of grants, cooperative agreements, and contracts required by the regulations be conducted—

"(1) in a manner consistent with the system for scientific peer review applicable on the date of the enactment of this section to grants, cooperative agreements, and contracts under this Act for biomedical and behavioral research, and

"(2) to the extent practical, by peer review groups performing such review on or before such date.

"(c) The members of any peer review group established under such regulations shall be individuals who by virtue of their training or experience are eminently qualified to perform the review functions of the group and not more than one-fourth of the members of any peer review group established under such regulations shall be officers or employees of the United States.

"(d) The Administrator of the Administration shall establish procedures for periodic, technical, and scientific peer review of research at the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse. Such procedures shall require that—

"(1) the reviewing entity be provided a written description of the research to be reviewed; and

"(2) the reviewing entity provide the advisory council of the Institute involved with such description and the results of the review by the entity."

(8) The following heading is inserted in title V of the Public Health Service Act after the section 506 inserted by paragraph (7):

"PART B—RESEARCH

"Subpart 1—Alcohol Abuse and Alcoholism"

(9) Sections 501, 503, and 504 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 are transferred to the subpart 1 of part B of title V of the Public Health Service Act established by paragraph (8), redesignated as sections 510, 511, and 512, respectively, and amended as follows:

(A) Section 510 (as redesignated) is amended—

(i) by striking out "the Institute" in subsection (a) and inserting in lieu thereof "the National Institute of Alcohol Abuse and Alcoholism (hereinafter in this subpart referred to as the 'Institute')";

(ii) by striking out "make available through publications and other appropriate means" in subsection (b)(1) and inserting in lieu thereof "disseminate through publication and other appropriate means (including the development of curriculum materials)";

(iii) by striking out "and such Council shall give" and all that follows in subsection (b)(3) and inserting in lieu thereof the following: "giving special consideration to projects relating to—

"(A) the relationship between alcohol abuse and domestic violence,

"(B) the effects of alcohol use during pregnancy,

"(C) the impact of alcoholism and alcohol abuse on the family, the workplace, and systems for the delivery of health services,

"(D) the relationship between the abuse of alcohol and other drugs,

"(E) the effect on the incidence of alcohol abuse and alcoholism of social pressures, legal requirements respecting the use of alcoholic beverages, the cost of such beverages, and the economic status and education of users of such beverages,

"(F) the interrelationship between alcohol use and other health problems, and

"(G) the comparison of the cost and effectiveness of various treatment methods for alcoholism and alcohol abuse and the effectiveness of prevention and intervention programs for alcoholism and alcohol abuse."

(iv) by inserting "or the impact of alcohol abuse on other health problems" before the semicolon in subsection (b)(5), and

(v) by amending the section heading to read as follows:

"ALCOHOL ABUSE AND ALCOHOLISM RESEARCH"

(B) Section 511 (as so redesignated) is amended—

(i) by striking out the last sentence of subsection (a),

(ii) by striking out the second sentence of subsection (b),

(iii) by striking out "of the Public Health Service Act (42 U.S.C. 292a)" in subsection (b), and

(iv) by striking out subsection (c).

(C) Section 512 (as so redesignated) is amended to read as follows:

"AUTHORIZATIONS OF APPROPRIATIONS

"Sec. 512. There is authorized to be appropriated to carry out this subpart \$45,790,000 for fiscal year 1984. Of the funds appropriated under this section for any fiscal year, not more than 35 percent may be obligated for grants under section 511."

(10) The following heading is inserted in title V of the Public Health Service Act after the section 512 inserted by paragraph (9):

"Subpart 2—Drug Abuse Research"

(11) Section 503 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act is transferred to the subpart 2 of part B of title V established by paragraph (10), redesignated as section 515, and amended—

(A) by striking out "The Director" the first time it occurs in subsection (a) and inserting in lieu thereof "The Director of the National Institute of Drug Abuse",

(B) by amending subsection (b) to read as follows:

"(b) In carrying out the activities described in subsection (a), the Secretary, acting through the Institute, may—

"(1) collect and disseminate through publications and other appropriate means, including the development of curriculum materials, information as to, and the practical application of, the research and other activities under this section,

"(2) make grants or enter into contracts with individuals and public and nonprofit entities for the purpose of determining the causes of drug abuse in a particular area, and

"(3) make grants to and enter into contracts with individuals and public and private nonprofit entities for research respecting improved drug maintenance and detoxification techniques and programs."

(C) by amending subsection (c) to read as follows:

"(c) For the purposes of subsections (a) and (b), there is authorized to be appropriated \$56,160,000 for fiscal year 1984."

"(D) by striking out the section heading and inserting in lieu thereof the following:

"DRUG ABUSE RESEARCH",

and

"(E) by inserting before "(a)" in subsection (a) the following: "SEC. 515."

(12) The following headings are inserted in title V of the Public Health Service Act after the section 515 inserted by paragraph (11):

"PART C—MISCELLANEOUS PROVISIONS RELATING TO ALCOHOL ABUSE AND ALCOHOLISM AND DRUG ABUSE

"Subpart 1—Provisions Relating to Alcohol Abuse and Alcoholism"

(13) Sections 301, 201, 321, and 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 are transferred to the part C of title V established by paragraph (12), redesignated as sections 520, 521, 522, and 523, respectively, and amended as follows:

(A) Section 520 (as so redesignated) is amended—

(i) by striking out "the Institute" in subsection (a) and inserting in lieu thereof "the National Institute of Alcohol Abuse and Alcoholism",

(ii) by striking out "section 321" in subsection (a)(4) and inserting in lieu thereof "section 522", and

(iii) by striking out "under this Act and under the Drug Abuse Prevention, Treatment, and Rehabilitation Act" and inserting in lieu thereof "under this title".

(B) Section 521 (as so redesignated) is amended—

(i) by striking out "section 413(b) of the Drug Abuse Prevention, Treatment, and Rehabilitation Act" in subsection (b)(4) and inserting in lieu thereof "section 525",

(ii) by striking out "title" in subsection (d) and inserting in lieu thereof "section", and

(iii) by striking out subsection (e).

(C) Section 522 (as so redesignated) is amended by striking out "of the Public Health Service Act" in subsection (a).

(14) The following heading is inserted in part C of title V of the Public Health Service Act after section 523 (as so redesignated):

"SUBPART 2—PROVISIONS RELATING TO DRUG ABUSE"

(15) Section 502 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act is transferred to title V of the Public Health Service Act, inserted after the heading inserted by paragraph (14), redesignated as section 524, and amended—

(A) by striking out "The Director" in subsection (a) and inserting in lieu thereof "The Director of the National Institute on Drug Abuse",

(B) by striking out "to promote the purposes of this Act," in subsection (b)(2),

(C) by striking out "section 407" in subsection (d) and inserting in lieu thereof "section 526",

(D) by striking out "under this Act and under the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970" in subsection (d) and inserting in lieu thereof "under this title",

(E) by striking out the section heading and inserting in lieu thereof:

"TECHNICAL ASSISTANCE TO STATE AND LOCAL AGENCIES";

and

(F) by inserting before "(a)" in subsection (a) the following: "SEC. 524."

(16)(A) Section 413 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act is transferred to title V of the Public Health Service Act, inserted after the section 524 inserted by paragraph (15), redesignated as section 525, and amended—

(i) by striking out the section heading and inserting in lieu thereof:

"DRUG ABUSE AMONG GOVERNMENT AND OTHER EMPLOYEES";

(ii) by inserting before "(a)" the following: "Sec. 525."; and

(iii) by striking out "section 201(b) of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970" in subsection (b)(4) and inserting in lieu thereof "section 521".

(B) Sections 407 and 408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act are transferred to title V of the Public Health Service Act, inserted after the section 525 inserted by subparagraph (A), redesignated as sections 526 and 527 and amended as follows:

(i) Section 526 (as so redesignated) is amended—

(I) by striking out the section heading and inserting in lieu thereof:

"ADMISSION OF DRUG ABUSERS TO PRIVATE AND PUBLIC HOSPITALS";

and

(II) by inserting before "(a)" in subsection (a) the following: "Sec. 526."

(ii) Section 527 (as so redesignated) is amended—

(I) by striking out the section heading and inserting in lieu thereof:

"CONFIDENTIALITY OF PATIENT RECORDS";

(II) by inserting before "(a)" in subsection (a) the following: "Sec. 527."; and

(III) by striking out "of Health and Human Services" in subsection (g).

(c)(1) Sections 102, 103, and 502 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 are repealed.

(2) Section 405 and 504 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act are repealed.

(d) Title V of the Medical Facilities Construction and Modernization Amendments of 1970 (Public Law 91-296) is repealed.

ALCOHOL AND DRUG ABUSE AND MENTAL HEALTH REPORTS BY THE SECRETARY

SEC. 3. (a) The Secretary of Health and Human Services shall submit to the Congress, on or before January 15, 1984, a report describing the extent to which Federal and State programs, departments, and agencies are concerned and are dealing effectively with—

- (1) the problems of alcohol abuse and alcoholism,
- (2) the problems of drug abuse, and
- (3) mental illness.

(b) The report required by subsection (a) shall include information with respect to

the services provided for alcohol abuse, alcoholism, drug abuse, and mental health under part B of title XIX of the Public Health Service Act. To obtain information respecting such services, the Secretary shall work with appropriate national organizations to ensure that State and local governments use compatible means of collecting data respecting such services so that uniform national data with respect to the provision of such services will be available to the States and to the Secretary.

(c) In compiling data for the report required by subsection (a), the Secretary may not require any State to submit any information which is not required under section 1916(a) of the Public Health Service Act.

DRUG ABUSE STRATEGY REPORT

SEC. 4. (a) Section 305 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act (21 U.S.C. 1165) is amended to read as follows:

"§ 305. Report

"The President shall submit to the Congress, on or before August 1, 1984, and every two years thereafter, a written report describing the strategy. The report shall specify the objectives, nature, and results of the strategy and shall contain an accounting of funds expended under title II."

(b) Section 207 of such Act (21 U.S.C. 1117) is repealed.